

# FAIRFIELD COUNTY

## WATER AND SEWER REGULATIONS

Established By:

The Board of Commissioners  
of Fairfield County, Ohio

### **For the Purpose of:**

Informing and guiding all users, potential users, developers, engineers, contractors and others in the planning, design, construction, operation and use of the Water, Drainage and Sewer Facilities in Fairfield County. These regulations are established under the authority of Chapters 6103 and 6117 of the Ohio Revised Code.

Adopted by The Board of County Commissioners by Resolution 02-07.30.d dated July 30, 2002.

Revised by the Board of Commissioners by Resolution 17.03.27 dated March 27, 2017.

Revised by the Board of Commissioners by Resolution 2019-08.27.s

Summary of Revisions:

Removing Drainage and Storm Water Design

Adding Deduct Meter, Sod Watering Deduction, Bill Adjustments and Backflow

Appeal Process Adding County Administrator

Sewer Billing based on water usage

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## **Chapter I - General Provisions**

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### **101 - Purpose:**

It is the purpose of this regulation to establish guidelines, policies, procedures, rates, and penalties for the safe, efficient, and sound fiscal operation of the water and wastewater systems owned and operated by Fairfield County, in the Fairfield County Water and Sewer District. This regulation is required to comply with certain requirements of the United States Environmental Protection Agency and the Ohio Environmental Protection Agency.

The Water and Sewer Use Regulations are intended to protect and preserve the physical integrity of the water and wastewater systems in the Fairfield County Water and Sewer District.

The Industrial Pretreatment Regulation is intended to establish guidelines and standards necessary for the control of industrial waste discharged into the Fairfield County wastewater collection system in order to prevent the introduction of pollutants into the wastewater system which could upset the normal operation of the treatment plant or contaminate the resulting sludge.

### **102 - Governing Regulations:**

When there appears to be, or there is in fact, a conflict between these Regulations and the requirements of the Clean Water Act, U.S.EPA, Ohio EPA, Code of Federal Regulations, or Ohio Revised Code, the document providing the highest or most stringent requirement, criteria, standard or rule shall govern. Section 6103.02 and 6117.01 of the Ohio Revised Code grants the County the authority to review all construction plans for water and sanitary sewer services to properties outside of municipal corporations, including the plans of a municipal corporation, a water and sewer district, and a private corporation. No construction of water and sanitary sewer lines in the County can begin without first obtaining approval of the County. The County shall disapprove of any plans for water and sanitary sewer facilities for a property to be served by another entity, when the County has planned for or constructed services to the subject property or in the area of the property in the County Water and Sewer District, including areas subsequently annexed to a municipality.

### **103 - Definitions:**

Unless the context specifically indicates otherwise, the following words and phrases when used in these Regulations shall have the meaning defined below:

*103.1 Act:* The Federal Water Pollution Control Act, also known as the Clean Water Act and Public Law 92-500, as amended, 33 U.S.C. 1251, et. seq, as well as guidelines, limitations and standards promulgated by the U.S. EPA pursuant to the Act.

*103.2 Applicable Pretreatment Standard*: Pretreatment limit or prohibitive standard (federal and/or local), deemed to be the most restrictive, with which non-domestic users are required to comply.

*103.3 Approval Authority*: The Ohio Environmental Protection Agency and the United States Environmental Protection Agency.

*103.4 Authorized Representative of Industrial Users*: Shall mean 1) a principle executive officer of at least the level of vice president, if the industrial user is a corporation; 2) a general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; 3) a duly authorized representative of the individual designed above if such representative is responsible for the overall operation of the facilities from which the discharge originates.

*103.5 Average Monthly Discharge Limitation*: The highest allowable average of ‘daily discharges’ over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during the month.

*103.6 Average Weekly Discharge Limitation*: The highest allowable average of ‘daily discharges’ over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during the week.

*103.7 Beneficial Uses*: Includes, but not limited to domestic, municipal, agricultural, industrial, power generation, recreation, aesthetic enjoyment, navigation, and the preservation and enhancement of fish, wildlife, and other aquatic resources or reserves, and other users, both tangible and intangible, as specified by the state or federal law.

*103.8 “BOD<sub>5</sub>” Five Day Biochemical Oxygen Demand*: The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C, expressed in parts per million (ppm) or milligrams per liter (mg/l) by weight, determined in accordance with the latest edition of Standard Methods for Examination of Water and Wastewater.

*103.9 Biodegradable*: Any material that is easily amenable to breakdown to less complex compounds by the biologic process present in the County wastewater facilities. The County shall determine whether a material is biodegradable if such a determination is required.

*103.10 Builder*: Any person, firm or corporation who constructs any structure, or part of a structure, which may or may not be constructed for human habitation.

*103.11 Building*: Any structure, or part of a structure, which may or may not be constructed for human habitation.

- 103.12 Building Drain*: That part of the lowest horizontal piping of a building drainage system which receives the discharge from downspouts, footer drains or other storm sewers or drains and conveys such discharge to a point in a public or natural storm drainage system.
- 103.13 Building Sewer*: That part of the lowest horizontal piping of a building sanitary system which receives the discharge from sanitary facilities in a building and extending to three feet outside the building wall, excluding building drainage facilities, and conveys such discharge to a centralized sanitary sewer system.
- 103.14 Capacity Charge*: The charge levied on new users in the system to help fund future POTW expansions as the new users reduce existing plant growth capacity. The capacity charge is based on the EDU of the new user at the current rate at the time of permit application.
- 103.15 Capital Cost*: Portion of the cost of the wastewater treatment system which is directly attributable to the principle and interest obligations issued to finance acquisition and construction of the wastewater system.
- 103.16 Carbonaceous Biochemical Oxygen Demand (CBOD)*: The quantity of oxygen utilized in the biochemical oxidation of organic matter not including nitrification under standard laboratory procedure in five (5) days at 20°C expressed in parts per million (ppm) or milligrams per liter (mg/l) by weight, determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater.
- 103.17 Categorical Pretreatment Standards*: The National Pretreatment Standards of the Clean Water Act specifying quantities or concentrations of pollutants which may be discharged to a treatment plant by specific discharges.
- 103.18 Chemical Oxygen Demand (COD)*: The quantities of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedures, expressed in terms of parts per million by weight in accordance with procedures set forth in the latest edition of Standard Methods for the Examination of Water and Wastewater.
- 103.19 Clean Water Act*: See ACT.
- 103.20 Chlorine Requirement*: The amount of chlorine, in parts per million by weight, which must be added to water or wastewater to produce a specified residual chlorine content, or to meet the requirements of some other objectives, in accordance with procedures set forth in the latest edition of Standard Methods for the Examination of Water and Wastewater.



*103.21 Collection Line or Main:* The sanitary sewers owned by the County to collect wastewater from service lines and transport it to the wastewater treatment facilities.

*103.22 Combined Sewer:* A sewer intended to receive both wastewater and storm or surface water.

*103.23 Commercial User:* Any aggregation of space, office, laundry, restaurant, stores, taverns, shops, and other like units which is equipped with one or more water fixtures draining in to the wastewater disposal system, separate and distinct from other users of service. In office buildings or other premises containing more than one tenant, only those tenants shall be classified as users of service who occupy space equipped with a distinct opening or fixture or set of fixtures for the use of water separately from other tenants and with waste draining into the wastewater disposal system. Commercial user is further defined as any user of the wastewater system not specifically categorized as residential or industrial and generally classified in the Standard Industrial Classification (S.I.C.) Manual of the U.S. Office of Management and Budget in Division F - Wholesale Trade; Division G - Retail Trade; Division H- Finance, Insurance, and Real Estate; portions of Division I - Services; and Division J - Public Administration.

*103.24 Compatible Pollutant:* Pollutants which the waste treatment facilities are designed to treat, plus additional pollutants identified in the NPDES permit if the waste treatment facility was designed to treat such pollutants, and in fact does remove such pollutants to a substantial degree.

*103.25 Composite Sample:* A sample which contains a minimum of eight (8) discrete samples taken at equal time intervals over the compositing period or proportional to the flow rate over the composite period. More than the minimum number of discrete samples will be required where the wastewater loading is highly variable.

*103.26 Connection or Tap:* The installing of a service line from private property to the County's collection system, distribution lines or mains.

*103.27 Contamination:* An impairment of quality of the waters of the State by waste, to a degree which creates a hazard to the public health through poisoning or through the spread of disease. "Contamination" includes any equivalent effect resulting from the disposal of wastewater, whether or not waters of the State are affected.

*103.28 Control Manhole:* A structure which provides access to a building sewer. A control manhole may be used as an inspection chamber and may contain certain testing equipment used to sample industrial discharges.

- 103.29* Cooling Water: The water discharged from a condensation, air conditioning, cooling, refrigeration, or other system, but free from odor or oil, and containing no polluting substances which could produce B.O.D. or suspended solids each in excess of ten milligrams per liter (10 mg/l).
- 103.30* Cost: The expenditures made by the County for labor, material, engineering, supervision, motor vehicles and tools, and any other expenditures incident thereto, to the extent that any or all of such expenditures are applicable in the particular situation involved. Also includes cost of land, land rights and all other property owned by the County that is used or useful in its operation of water, sanitary sewer, and storm water systems.
- 103.31* County: The Board of County Commissioners of Fairfield County and their authorized representatives legally empowered to act on their behalf. Also used to refer to the territory of Fairfield County.
- 103.32* County Commissioners: The Board of County Commissioners of Fairfield County and their authorized representatives legally empowered to act on their behalf.
- 103.33* County Engineer: The Fairfield County Engineer, or his designated agent.
- 103.34* County Sanitary Engineer: The Director of Utilities of Fairfield County or his authorized representative.
- 103.35* County System: The portion of a system of water lines, sanitary sewers, treatment facilities, and associated equipment and materials which is owned by the County or within land, rights of way or easements owned or assigned to the County.
- 103.36* Customer: A person, firm or corporation who is the Owner of a premise currently served by the County system or is in need of utility service from the County system. When a customer requires service for more than one purpose, or for service to more than one premises, that customer may, at the discretion of the County, be deemed a separate customer with respect to each such service.
- 103.37* Daily Discharge: The discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling.
- 103.38* Debt Service: The fund used for the retirement of principal and interest on bonds and/or notes authorized and issued by the County to construct water and wastewater systems facilities.

- 103.39* Debt Service Charges: Charges resulting from the capital investment in the water and wastewater systems consisting of the annual principal and interest payments and other amounts required in connection with the issuance and sale of bonds to provide the funds for construction.
- 103.40* Developer: Any person, firm or corporation that presumes to excavate or fill, build structures, or otherwise improve or alter a specific parcel or tract of land.
- 103.41* Development: The improvement of a tract or parcel of land.
- 103.42* Director: The Director of the Fairfield County Utilities Department or his authorized representative.
- 103.43* Discharges: The act of sanitary sewage leaving a premises.
- 103.44* Distribution Lines or Mains: The waterlines owned by the County for distributing potable water to service lines for use by customers.
- 103.45* Domestic Use: The use of water and sanitary sewer services in connection with normal household activities only.
- 103.46* Domestic Wastewater: Wastewater derived principally from dwellings, business buildings, institutions and the like, which originates within the building, including the waste from kitchens, water closets, lavatories, bathrooms, showers, and laundries.
- 103.47* EPA or U.S. Environmental Protection Agency: The United States Environmental Protection Agency and may also be used, where appropriate, as a designation for the administrator or other duly authorized official of such agency.
- 103.48* Easement: An acquired legal right for the specific use of land owned by others.
- 103.49* Ether-Soluble Matter: Oil and grease which is soluble in ether, as measured in the laboratory procedure made in accordance with method set forth in Standard Methods for the Examination of Water and Wastewater.
- 103.50* Engineer: An individual authorized to practice Engineering as defined by Occupations-Professions of the State of Ohio, due to his registration in Ohio.
- 103.51* Equipment Replacement Fund: A separate fund into which an established amount is placed annually and held until needed for replacement of worn out or malfunctioning parts of the water or wastewater facilities.
- 103.52* Equivalent Dwelling Unit (EDU): The measurement of a home equivalent based upon a flow rate of 400 gallons per day. Apartments, homes, trailers, cottages and other single residential structures shall be considered as 1 EDU each regardless of flow rate.

- 103.53* Extra Strength Sewage Discharges: An additional charge which is billed to users for treating wastewater with an average strength in excess of “normal domestic wastewater.”
- 103.54* Fecal Coliform: Any number of organisms common to the intestinal tract of man and animals, whose presence in sanitary wastewater is an indicator of pollution.
- 103.55* Federal Water Pollution Control Act: See Act.
- 103.56* Floatable Oil: Oil, fat, or grease in a physical state, such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility.
- 103.57* Foundation Drains: Subsurface drains lain around the foundation of a building either within or outside of the building foundation, for the purpose of carrying ground or subsurface water to some point of discharge.
- 103.58* Garbage: Solid wastes from the preparation and dispensing of food, and from the handling, storage, and sale of produce.
- 103.59* Governmental User: Any user discharging wastewater from premises utilized by public political units, including Federal, State, County, and Local units.
- 103.60* Grab Sample: A sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
- 103.61* Grease and Oil: Refer to a group of substances including hydrocarbons, fatty acids, soaps, fats, waxes, oils or any other material that is extracted by a solvent from an acidified sample and that is not volatilized during the laboratory test procedures. Greases and oils are defined by the method of their determination in accordance with Standard Methods. Those materials extractable from an acidified sample by “freon” or other acceptable solvent in accordance with EPA approved laboratory procedures.
- 103.62* Grease and Oil of Animal and Vegetable Origin: Substances that are of a less readily biodegradable nature such as are discharged by meatpacking, vegetable oil, fat industries, food processors, canneries, and restaurants.
- 103.63* Grease or Oil of Mineral Origin: Substances that are less readily biodegradable than grease and oil of animal or vegetable origin, and are derived from a petroleum source. Such substances include machinery lubricating oils, gasoline station wastes, petroleum refinery wastes, and storage depot wastes.
- 103.64* Ground Garbage: The residue from the preparation, cooking, and dispensing of food that has been shredded to such a degree that all particles will be carried freely in suspension under the

flow conditions normally prevailing in public sanitary sewers with no particle greater than one-half inch in any dimension.

**103.65 Improvements:** Any addition to the natural state of land which increases its value or utility, including buildings, street pavements, curbs and gutters, sidewalks, crosswalks, water mains, sanitary sewers, storm sewers, landscaping, street lighting, public utilities, paved parking areas, and other appropriate items.

A. *Site Improvements* refer to the improvements made to the land outside the exterior limits of a structure or structures.

B. *Public Improvements* refer to all improvements financed entirely or in part by public funds or which are dedicated to public use after completion thereof.

**103.66 Incompatible Pollutant:** Any pollutant which is not a compatible pollutant as defined herein.

**103.67 Industrial Users:** A person or organization who discharges to the County's wastewater disposal system liquid, solid, or gaseous wastes resulting from the processes employed in industrial or manufacturing activities, or from the development, recovering, or processing of any natural resource. Industrial user is further defined as any non-governmental user of publicly owned treatment works identified in the Standard Industrial Classification Manual of the U.S. Office of Management and Budget, as amended and supplemental, under the following divisions: Division A - Agricultural, Forestry, and Fishing; Division B - Mining; Division D - Manufacturing; Division E - Transportation, Communication, Electric, Gas and Sanitary Service; and Division I - Services. A user in the division may be excluded if it is determined that it will introduce primarily segregated domestic waste or wastes from sanitary conveniences.

**103.68 Industrial Wastes:** The liquid, gaseous or solid wastes, as distinct from sanitary wastewater, resulting from any process of industry, manufacturing, trade, or business, or from the development, processing, or recovery of any natural resource which will pollute any water it enters. Industrial wastes includes contact cooling water and may include non-contact cooling water.

**103.69 Industrial Waste Permit:** A formal permit to deposit or discharge industrial waste into any sanitary sewer, as issued by the County.

**103.70 Infiltration:** Water other than wastewater that enters a sanitary sewer system (including building sewer connections and foundation drains) from the ground through such means as

defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.

*103.71* **Inflow**: Water other than wastewater that enters a sanitary sewer system from sources such as, but not limited to, roof leaders, cellar drains, yard drains, area drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm waters, surface runoff, street wash waters, or drainage.

Inflow does not include, and is distinguished from, infiltration.

*103.72* **Influent**: The water, together with any waste that may be present, flowing into a drain, sanitary sewer, receptacle, or outlet and then to the wastewater treatment plant.

*103.73* **Inspection Fee**: The amount charged by the County to inspect and issue a permit for new users to verify proper construction procedures and materials.

*103.74* **Institutional User**: Any person discharging wastewater from premises serving educational, social, or eleemosynary purposes, including, but not limited to, private schools, hospitals, nursing homes, churches, and charitable organizations.

*103.75* **Inspector**: Duly authorized agent of the County Engineer and/or the Director of Utilities.

*103.76* **Interference**: Inhibition or disruption of the wastewater treatment processes or operations which contributes to a violation of any requirements of the County's NPDES permit. The term includes prevention of wastewater sludge use or disposal by the treatment plant in accordance with Section 405 of the Act (33 U.S.C. 1345) or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act, or more stringent state criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of the Solid Waste Disposal Act) applicable to the method of disposal or use employed by the County.

*103.77* **Inorganic**: Matter consisting of metal, metallic salts, acids and bases.

*103.78* **Major Contributing Industry**: Any user of the County's wastewater disposal system which has:

- A. A disposal flow of 25,000 gallons per average workday, or
- B. A flow greater than five percent (5%) of the flow in the County's wastewater treatment system, or
- C. In Its wastes, toxic pollutants as defined pursuant to Section 307 of the Act, or

D. Significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality, or air emissions generated by the system.

*103.79* Maximum Daily Discharge Limitations: The highest allowable daily discharge.

*103.80* May: "May" is permissive.

*103.81* mg/l: Milligrams per Liter.

*103.82* National Pollutant Discharge Elimination System (NPDES) Permit: A permit issued by the EPA or Ohio EPA pursuant to the Clean Water Act for the purpose of regulating the discharge of wastewater, industrial wastes, and other wastes as defined in the Code of Federal Regulations, 40 CFR Part 125, and under the authority of Section 402 of the Clean Water Act, into navigable waters of the United States.

*103.83* Natural Outlet: Any outlet in a watercourse, pond, ditch, lake or other body of surface or ground water.

*103.84* New Source: Any source of wastewater the construction of which is commenced after the publication of regulation prescribing an applicable Section 307(c) (33U.S.c.1317) Categorical Pretreatment Standard is promulgated in the Federal Register.

*103.85* Non-Domestic Use: All uses other than Domestic use.

*103.86* Non-Residential User: Commercial, governmental, institutional, and industrial users in the aggregate and all other users not considered under the residential user category.

*103.87* Non-Sanitary Flow: Storm water originating from downspouts, storms and groundwater drains, and foundation drains.

*103.88* Non-Potable Water: Water that is not meant for human consumption.

*103.89* Normal Domestic Wastewater: Average wastewater when analyzed shows by weight a daily average of not more than 200 parts per million of suspended solids, not more than 200 parts per million of biochemical oxygen demand (BOD<sub>5</sub>), and not more than 15 parts per million of ammonia nitrogen, and discharged principally from dwellings such as residences, apartments, trailers, etc.

*103.90* NPDES: National Pollutant Discharge Elimination System.

*103.91* OEPA: Ohio Environmental Protection Agency.

*103.92* ORC: Ohio Revised Code.

- 103.93* On-lot System: A privately owned system located on private property together with all appurtenance thereof.
- 103.94* Operation and Maintenance (O&M): Activities required to assure the dependable and economical function of treatment works. The term O&M includes replacement.
- 103.95* Operation and Maintenance Costs: The current, reasonable and necessary cost of operation and maintenance of the water system and wastewater disposal system, paid or incurred, determined in accordance with generally accepted accounting principles, including replacement costs, but excluding payments of principle and interest on obligations issued to finance the costs of acquisition and construction of the treatment works. In other terms, it shall mean the cost incurred in the act of keeping all facilities for treating and distributing water and for collecting, pumping, treating, and disposing of wastewater in a good state of repair and functioning properly, including the replacement of said facilities when necessary.
- 103.96* Organic: Containing carbon, hydrogen, oxygen, nitrogen, and sulfur compounds or produced in living organisms.
- 103.97* Owner: All individuals, partnerships, associations, and corporations holding the fee title to or life estate in, or an undivided interest in the fee or life estate, of any premises lots or tract of land.
- 103.98* Parcel: A specific part of a larger acreage of land.
- 103.99* Parts per Million (ppm): A weight-to-weight ratio. The parts-per-million value multiplied by the factor 8.345 shall be equivalent to pounds per million gallons of water. Milligrams per liter (mg/l) is a synonymous term.
- 103.100* Person: Any individual, firm, company, association, society, corporation or group.
- 103.101* pH: The reciprocal of the logarithm of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ions, in grams, per liter of solution. Neutral water, for example, has pH value of seven and hydrogen-ion concentration of  $10^7$ .
- 103.102* Plat: A plan of a tract or parcel of land made by a surveyor registered in the State of Ohio showing public dedications and easements, property lines, lot lines, and such other information as is required by law.
- 103.103* Pollutant: The dredged spoil, solid waste, incinerator residue, wastewater, garbage, wastewater sludge, munition, wrecked or discarded equipment, rock, sand, cellar dirt; industrial, municipal, commercial, domestic, and agricultural waste discharged into water.



- 103.104* Pollution: The placing of any noxious or deleterious substances in any waters within the County or affecting the properties of any waters within the County in a manner which renders such waters harmful to the public health, or to animal or aquatic life, or to the use of such waters for domestic water supply, industrial or agricultural purposes, or recreation.
- 103.105* POTW: See Publicly Owned Treatment Works.
- 103.106* Potable Water: Water treated for human consumption.
- 103.107* Premises: Any piece of real estate having one or more sanitary sewers which may be connected either individually or through a common sanitary sewer and directly or indirectly to the wastewater disposal system.
- 103.108* Pretreatment: The treatment of wastewater prior to introduction into the County sanitary sewer system.
- 103.109* Pretreatment Requirements: Any substance or procedural requirements related to pretreatment, other than a National Pretreatment Standard imposed on an industrial user.
- 103.110* Private On-site Treatment Facilities: Any private wastewater treatment facilities located at the site where wastewater is being generated, when such facilities are for the purpose of treating or pretreating the generated wastewater before it enters the public sanitary sewer.
- 103.111* Private Sewer: A sewer not owned by the County or other public agency.
- 103.112* Properly Shredded Garbage: The wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely, under the conditions normally prevailing in public sanitary sewers, with no particle greater than ½ inch in any dimension.
- 103.113* Public Authority: Any governmental agency have jurisdiction.
- 103.114* Public Sewers: A sanitary sewer provided by or subject to the jurisdiction of the County on public or private property. It also includes sanitary sewer within or outside the County boundaries that serve one or more persons and ultimately discharge to the County sanitary sewer system, even though these sanitary sewers may not have been constructed with County funds.
- 103.115* Publicly Owned Treatment Works (POTW): All publicly owned (County owned) facilities for the collection, treatment, and disposal of wastewater.
- 103.116* Receiving Stream: The watercourse, stream, or body of water receiving the waters finally discharged from the wastewater treatment plant.
- 103.117* Regulated Industrial Categories: Those categories regulated by the Clean Water Act.

- 103.118* Reimbursable Expenses: Those costs incurred by the County which are passed on to the users of the POTW on whose behalf the expenses were incurred. Included are such items as sampling costs and laboratory fees.
- 103.119* Replacement: Any expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. Also known as “equipment replacement costs.”
- 103.120* Residential User: Any user discharging domestic wastes from building or premises that are used as permanent places for human occupancy such as single family dwellings, rowhouses, townhouses, condos, mobile homes, garden and standard apartments, and high rise apartments. Transient lodging, considered commercial in nature, is not included. In multi-use premises, only those divisions of the building utilized as domicile are considered residential users.
- 103.121* Resolution: Resolution of the Board of County Commissioners of Fairfield County.
- 103.122* Sanitary Sewer: A pipe or conduit which carries sanitary wastewater, limited industrial wastes and to which storm, surface and ground waters are not legally admitted.
- 103.123* Sanitary Wastewater: Liquid and water carried wastes contributed from a premises by reason of human occupancy. The standard strength for sanitary wastewater is assumed to be 200 ppm BOD<sub>5</sub>, 200 ppm suspended solids, and 15 ppm ammonia nitrogen.
- 103.124* Sanitary Sewer System: All of the facilities required for collecting, pumping, conveying, treating, and disposing of wastewater.
- 103.125* Service: Making available to the customer or potential customer, potable water and the disposal of wastewater without regard to the extent to which the customer makes use of the available potable water or disposal of wastewater. The availability of potable water is called “water service”. The availability of wastewater disposal is called “sanitary sewer service”.
- 103.126* Service Area: All users connected with the treatment works including those in Fairfield County, and inside and outside of municipal corporation limits.
- 103.127* Service Line: The line owned by the customer that extends from the County System over the customer’s premises or lot. Normally, the water service line begins at the corporation stop at the main line (including service saddle) and the sanitary sewer service line begins at the sanitary sewer main line (wye connection).

- 103.128* Sewer: A pipe or conduit for conveying stormwater, groundwater, non-polluted water or wastewater.
- 103.129* Sewage: See wastewater.
- 103.130* Sewer Service Charge: An imposed charge upon all users receiving services from the County’s wastewater system in a total amount sufficient to pay the costs of the system. Sewer service charges consist of a debt service charge, an operation, maintenance and replacement charge, and surcharges (if applicable).
- 103.131* Shall: Shall is mandatory, “may” is permissive.
- 103.132* Sludge: Any solid, semi-solid, or liquid waste generated by a public, commercial or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility or any other waste having similar characteristics and effects as defined in standards issued under Section 402 and 405 of the Act, 40 CFR Part 503 and in the applicable requirements under Section 3001, 3004, and 4004 of the Solid Waste Disposal Act (PL 94-580).
- 103.133* Slug: Any discharge of water, wastewater, or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of longer duration than fifteen minutes and more than five times the average twenty-four hour concentration or flow during normal operation.
- 103.134* Specifications and Standards: Those specifications and standards, as determined by the Board of Fairfield County Commissioners, which shall govern the construction of the subdivision within the jurisdiction of these regulations.
- 103.135* Standard Industrial Classification (SIC): The System that classifies industries pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972, assigning a code (SIC Code) denoting the manufacturing process.
- 103.136* Standard Methods: The laboratory procedures set forth in the most recent edition of Standard Methods for the Examination of Water and Wastewater, published jointly by the American Public Health Association, the American Water Works Association, and the Federation of Sewage and Industrial Wastes Association.
- 103.137* Standard Laboratory Procedures: All measurements, test, and analysis shall be determined in accordance with the most recent edition of Standard Methods for Examination of Water and

Wastewater the American Public Health Association and Methods for Chemical Analysis of Water and Waste the EPA.

- 103.138 Storm Sewer: A sewer which transports ground, surface, storm and clear water and to which sanitary wastewater and industrial wastes may not be discharged.
- 103.139 Storm Sewer or Storm Drain: A pipe or conduit which carries storm and surface waters or drainage, from the point of origin to some point of disposal, but excludes sanitary wastewater and industrial wastewater.
- 103.140 Storm Drainage System or Storm Water Drainage System: All facilities, structures, natural water courses, outlets, waterways or streams, swales or ditches, and sewers which carry storm water, groundwater, surface water, subsurface drainage water, and unpolluted cooling water.
- 103.141 Surcharge: The assessment in addition to the service charge which is levied on those persons whose wastes are greater in strength than the concentration values established as representative of normal domestic wastewater.
- 103.142 Surveyor: A registered surveyor as defined by the “Registration Act of the State of Ohio”.
- 103.143 Suspended Solids: The solids that either float on the surface of, or are suspended in water, wastewater or other liquids and which are removable by laboratory filtering, expressed in milligram per liter.
- 103.144 System Components: All water or sanitary sewer lines, service lines, valves, manholes, pipes, fittings, fixtures, vaults, pits, treatment equipment and machinery, buildings, booster stations, lift stations, storage tanks and towers, and appurtenances thereto which are a part of or connected to the water system or wastewater system.
- 103.145 Tap: The connection to the water system or sanitary sewer system to serve a user, also known as service connection or lateral.
- 103.146 TOC: Total organic carbon expressed in milligrams per liter.
- 103.147 Total Solids: The sum of suspended and dissolved solids.
- 103.148 Toxic Pollutants: Any pollutant or combination of pollutants which, upon exposure to or assimilation into any organism, will cause adverse effects such as cancer, genetic mutations, and physiological manifestations, as defined in standards issued pursuant to Section 307(a) of the Act and which are considered priority pollutants by the EPA.
- 103.149 Toxic: Being capable of adversely affecting any organism upon assimilation or exposure.
- 103.150 Tract: A continuous expanse of land.

*103.151* Treatment Plant: See Wastewater Treatment Plant.

*103.152* Unpolluted Water or Unpolluted Liquid: Any water or liquid containing none of the following: free or emulsified grease or oil; acids or alkalides; substances that may impart taste, odor, or color characteristics; toxic or poisonous substances in suspension, colloidal state or solution; odorous or otherwise obnoxious gases. It shall not contain more than 2,500 parts per million by weight of dissolved solids and no more than ten parts per million each of suspended solids (SS) or biochemical oxygen demand (BOD). Analytical determinations shall be made in accordance with procedures set forth in Standard Methods.

*103.153* Upset or Operating Upset: An exceptional incident in which a discharger unintentionally and temporarily is in a state of noncompliance with the standards set forth hereto due to factors beyond the reasonable control of the discharger, and excluding noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation thereof.

*103.154* Useful Life: The estimated period during which a treatment works will be operational.

*103.155* U.S. EPA: See EPA.

*103.156* User: Any person or property who receives water from the water system or discharges, causes, or permits the discharge of wastewater into the wastewater treatment system.

*103.157* User Charges: The charge assessed users of the water system or wastewater system to recover the costs incurred in the act of keeping all facilities for distributing, collecting, pumping, treating, and disposing of water or wastewater, as appropriate, in a good state of repair and functioning properly including the replacement of said facilities when necessary, obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed, the funds used for the retirement of and interest on bonds and/or notes authorized and issued by the County to construct water and wastewater system facilities, acquiring all mandated permits, and the cost of rendering bills and collecting water and sanitary sewer service charges.

*103.158* User Class: The division of water and wastewater treatment customers by source, function, waste characteristics, and process or discharge similarities (i.e., residential, commercial, industrial, institutional, and governmental in the User Charge System).

- 103.159* Volatile Organic Matter: The material in the wastewater solids transformed to gases or vapors when heated at 500°C for 15 to 20 minutes per Standard Methods.
- 103.160* Wastes: The useless, unneeded or superfluous matter which is discarded or excess material such as ashes, garbage, process by-product or human waste.
- 103.161* Wastewater: A combination of liquid and water-carried wastes from residences, business buildings, institutions, commercial establishments, and industrial establishments which will pollute any water it enters. Wastewater is sometimes referred to as “sewage” or “sanitary sewage”.
- 103.162* Wastewater Treatment Facility or Water Reclamation Facility: Any arrangement of devices and structures used for treatment and disposal of wastewater.
- 103.163* Wastewater Treatment System: All of the facilities acquired for collecting, treating, pumping, and disposing of wastewater. The County Wastewater System shall be that part of the Wastewater System owned, operated and maintained by the County.
- 103.164* Water System: All of the facilities acquired for supplying, treating, pumping, and distributing water. The County Water System shall be that part of the Water System owned, operated and maintained by the County.
- 103.165* Watercourse: A channel in which a flow of water occurs, either continuously or intermittently.
- 103.166* Waterlines: A pipe or conduit used to distribute water to the customer’s premises.
- 103.167* Waters of The State: All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage system, and all other bodies of accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.
- 103.168* Water Treatment Facility or Plant: Any arrangement of devices and structures used for treating water to a potable condition.
- 103.169* Water or Watercourse: A channel in which a flow of water occurs either continuously or intermittently.
- 103.170* Working Capital: A reasonable reserve of monies within the system operating fund to provide a margin of safety for fluctuations of cash flow in the fund.

**104 - Separation of Systems:**

The water, drainage, and wastewater systems are separate and distinct systems. No customer or person shall connect any two systems together in any manner that could cause cross contamination of any system. The water system shall be protected in all locations and at all times from the siphoning, backflow, gravity flow, or pressure flow of wastewater or drainage water into any part of the water system, regardless of whether any portion of the water system has a positive or negative pressure applied to it.

**105 - Powers and Authority of Inspectors:**

The Director or other fully authorized representative of the County bearing proper credentials and identification shall be permitted to enter upon all properties at all reasonable hours of the day for the purpose of inspecting, surveying, examining, reading meters, maintaining equipment, measuring, sampling or testing of any portion of the water or sanitary sewer systems, in accordance with the provisions of these Regulations, ORC 6103.02 and ORC 6117.01. All entry and subsequent work, if necessary, on such property shall be done in full accordance with the terms of the Owner as agreed to by the County.

The County shall have the right of ingress to properties to make investigations at any reasonable time to determine and possible violations of these Regulations. The Director shall notify each property owner prior to making such investigations.

While performing the necessary work on private properties referred to in these Regulations, the property owner shall be held harmless for injury or death to the Director, and against liability claims and demands for personal injury or property damage asserted against the property owner and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the property owner to maintain safe conditions.

The County bearing proper credentials and identification shall present them to the owner, agent or current occupant of properties within the County before entering for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions contained herein. The County shall also obtain and present a proper search warrant at the request of the owner, agent or current occupant. A request by the owner, agent or current occupant that the County obtain a search warrant is an exercisable right of the requesting party and shall not constitute failure to cooperate nor shall it constitute a failure to comply with the provisions herein. The County shall have no right to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic,

paper or other industries beyond the point of having a direct bearing on the kind and source of discharge into the sanitary sewer system for treatment.

Information furnished to the County with respect to the nature and frequency of discharge shall be available to the public or other governmental agencies unless the discharger specifically requests and demonstrates, to the satisfactions of the County that release of such information would divulge information, processes, or production information. When requested by the discharger, the portions of a report which may disclose trade secrets or secret processes, shall not be made available to the public but shall be made available upon written request to governmental agencies for uses related to these Regulations, the NPDES permit, state disposal system permit and/or pretreatment programs; provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the discharger furnishing the report. Waste constituents and characteristics will not be recognized as confidential information. Information accepted by the County as confidential shall not be transmitted to any governmental agency by the County unless a ten day notification is given to the discharger.

**106 - General Terms:**

*106.01* In the interest of public health and for the protection of its property, the County will not permit use of its water or sanitary sewer systems for anything other than County approved use.

*106.02* The County will use reasonable care and diligence to provide adequate water and sanitary sewer service to the customer. If the County is without willful default or negligence on its part, the County shall not be liable for a deficiency or failure, regardless of cause, in the supply of water or sanitary sewer service or for any damage therefrom, or for the bursting or breaking of any main or service lines or for any damage caused thereby, or for failures of electrical power supply, or equipment failures, or failure of other facilities used by the County or for any damage caused thereby.

*106.03* When application is made to the County for water or sanitary sewer service, or for the reinstatement of water or sanitary sewer service, the County shall be entitled to assume that the piping and fixtures to which the service will be supplied are in accordance with state and local codes, will be maintained in good order, and will be operated properly. The County will not be liable for any accidents, breaks, leakage, or other harmful events resulting in any way from the supplying of water or sanitary sewer service to faulty piping or fixtures, or improperly operated piping or fixtures.



*106.04* The County shall have the sole right to determine the size, type and location of service lines and connections necessary to give the service for which application has been made.

*106.05* Operating control of all mains, connections, valves and appurtenances is vested in and shall at all times remain with the County and shall not be trespassed on or interfered with in any manner.

*106.06* The County shall be notified by the Owner of any change of ownership for any premise being served by the County. Such notice shall contain the date such change is to become effective. At such time the County is notified of a change in ownership, the County shall render a final billing. The new Owner shall an account as required by Fairfield County Utilities.

*106.07* The liabilities and responsibilities for proper use of, and payment for, water and sanitary sewer services are not transferable to any person other than the Owner of the premises being served unless approved by the County.

**107 - Malicious Mischief:**

No person shall maliciously, willfully, or negligently break, damage, destroy, deface, cover, or tamper with any structure, appurtenance or equipment which is part of the water or sanitary sewer systems. Any person violating this provision shall be subject to immediate arrest under a charge of disorderly conduct shall be required to make restitution for said damages and shall be subject to the provisions of **Section 199 - Penalty**.

**108 - Charges for Damages to Water, Storm or Sanitary Sewer Systems:**

When any person causes an obstruction, or damage, or any other impairment to any part of the water, drainage, or sanitary sewer systems or the treatment processes, a charge shall be levied by the County against the customer from whose premises the damage originated or, if no customer's premise is involved, the responsible person. The charges shall be for the cost of work required to clear and/or repair the part of the system or reestablish the treatment process affected by said damage. The County shall add such charge to the usual service charges, surcharges, and fees for the customer, or bill the responsible person. Failure to pay the bill within 30 days of its receipt shall subject the customer or person to the provisions of **Section 199 - Penalty**.

**109 - Discontinued Service:**

The County may discontinue all or any part of its service to any customer for any of the following reasons:

*109.01* For use of water or sanitary service for any premise or purpose other than as permitted by these Regulations.

*109.02* For willful misrepresentation in the application as to the premises to be supplied or the use to be made of water or sanitary service supplied or as to any other material fact.

*109.03* For tampering with any plant component, main, sanitary sewer, connection, service line, grinder pump or appurtenances under the control of, or belonging to the County.

*109.04* For non-payment of any charges owed by the Owner to the County when due.

*109.05* For connecting a sanitary sewer, water line, service line or any line or pipe directly or indirectly with any other source of wastewater or use of water than that which results from the normal activities of the premises served, or with any apparatus which may in the opinion of the County endanger the quality of the County water or sanitary sewer utility service.

*109.06* For denial of reasonable access by County personnel to the premises.

*109.07* For any violation of, or failure to comply with, these Regulations.

**110 - Restoring Service:**

If any owner, whose service has been discontinued for non-payment of bills or for violation of, or failure to comply with these Regulations, desires service to be restored, such restoration may be made only after the Owner:

*110.01* Has paid all unpaid bills and charges owing to the County, and

*110.02* Has corrected all conditions found contravening these Regulations, and

*110.03* Has paid a reconnection fee plus any labor and material cost of renewing service, in accordance with the Fairfield County User Charges.

**111 - Extension of County Sanitary Sewer System:**

Where an adequate public sanitary sewer system is reasonably accessible as determined by the Director, public sanitary sewer shall be installed to adequately serve the entire development at the expense of the developer. All sanitary sewer improvements shall meet the requirements of the Ohio EPA and the Fairfield County Water, and Sewer Regulations and the Fairfield County Construction and Material Specifications.

New sources and connections to the Fairfield County water and sanitary sewer systems shall be properly designed and plans approved by the Director, in accordance with applicable provisions of the Fairfield County Water, and Sewer Regulations prior to construction of such sources and connections.

**112 - “Package” Type Treatment Facilities:**

Package type wastewater treatment facilities for the purpose of providing centralized sanitary sewer service for developments not suitable for on-site septic systems, and not reasonably accessible to existing sanitary sewer systems capable of providing service, shall require approval of the Ohio EPA and the County Utilities Department. Where package treatment plants are proposed, a letter shall be provided from the Ohio EPA indicating that the use of a package treatment plant appears feasible for the development. As a general rule, package treatment plants of less than 100,000 gallons per day capacity will not be acceptable unless sufficient land is set aside for future expansion to a 100,000 gallons per day wastewater treatment plant or larger size plant as determined by the Director. "Package" Treatment Facilities shall be designed and built per County standards and shall be conveyed to the County for operation and maintenance.

**113 - County Required Water or Sanitary Sewer Service:**

*113.01* Water Facilities

All water systems located in flood prone areas, whether public or private, shall be flood proofed to above the 100 year flood protection elevation. If there is an existing public water supply system on or near the development, the County may require the connection to the water system.

Any residential development or subdivision with fifty (50) or more lots or EDU's with an average lot size of less than one and one-half acres as determined by a preliminary plan, shall be served by central public water. Where central water service is provided, the County may require sufficient land, as determined by the Director, to be set aside for future expansion of the well field and/or proper treatment facilities.

*113.02* Sanitary Sewer Facilities:

The County may prescribe adequate methods for waste disposal. If a sanitary sewer system is located on or near the proposed development, the County shall require the Developer or Owner to provide wastewater facilities to connect to this system where practical and shall prescribe the procedures to be followed in connecting to the system. All sanitary sewer systems located in flood prone areas, whether private or public shall be flood proofed to above the 100-year flood protection elevation.

Any residential development or subdivision with fifty (50) or more lots or EDU's with an average lot size of less than one and one-half acres as determined by a preliminary plan, shall be

served by a centralized public sanitary sewer system. Where central sewer service is provided, the County may require sufficient land, as determined by the Director, to be set aside for future expansion of the wastewater treatment facilities and/or sewer system.

*113.03* Major sewer utilities shall be placed in exclusive easements adjacent to the street right-of-way, except under special circumstances, the County may waive this requirement when approved by the County Sanitary Engineer.

**114 - Provision of Water or Sanitary Sewer Service by Others:**

Except for private lines serving only a single residence or parcel of land, water and sanitary sewer lines, plants, fixtures and all appurtenances thereto and located in the County shall be installed and constructed only in accordance with the plans and specifications approved by the County, and only by contractors, material suppliers and equipment suppliers, as are approved by the County. No person, public or private organization, or political subdivision shall have the authority to approve, construct or install such lines or facilities without the express written consent and approval of the County.

**115 - Construction and Transfer of System Components:**

*115.01* Owner to Bear the Cost: Any Owner or Developer wishing to develop a lot, tract, or parcel of ground and wishing to connect improvements constructed thereon to the County's system shall bear all the costs incidental to the construction and installation of the water and sanitary sewer system components including real estate costs, engineering fees, deposits, and incidental costs. Said construction and installation shall be done in accordance with these Regulations and the Construction and Material Specifications.

*115.02* Provision for Extension of System: Any Owner or Developer wishing to develop a lot, or parcel of ground and wishing to connect said improvements constructed thereon to the County's system, shall be required to be constructed as per these Regulations and the Constructions and Material Specifications at the Owner's or Developer's expense.

*115.03* Offsite Construction of County Systems: The County does not guarantee that it will have water or sanitary sewer system components available to any parcel or tract of ground within the County. In the event that an Owner or Developer constructs or installs system components outside the area being so developed, said installation and construction shall nonetheless be done in accordance with these Regulations and the Construction and Material Specifications. Further, all said installation and construction shall be at the expense of the Owner or Developer.

115.04 Conveyance of Systems Components By Owner or Developer:

- A. Prior to the time that the County begins to render sanitary sewer or water service to any Owner or Developer of a property, the Owner shall convey to the County, without additional consideration from the County, all of the system components and easements which are or are caused to be acquired, installed or constructed by the Owner and which are reasonably required in order for the County to provide sanitary sewer service or water service to the Owner's property, except that the Owner shall not convey any part of the service lines connecting the individual dwellings or buildings with the sanitary sewer mains or water mains.
- B. All personal property conveyed pursuant to these Regulations for sanitary sewer service or water service shall be conveyed by duly executed Bill of Sale transferring all rights, title and interest of Owner to the County. All easements and land rights-of-way shall be conveyed by duly executed Deed of Easement or recorded plat. Such conveyances of personal property shall convey ownership free of liens. Such conveyances shall grant to the County good title to the easements free and clear of all rights of dower and all liens, easements, restrictions, conditions, covenants and encroachments, except the liens of real estate taxes and assessments and any easements, restrictions, conditions, covenants and encroachments which would not prohibit or unreasonably interfere with the installation, operation, maintenance and repair of one or more sanitary sewer water mains and those defects which the County is willing to waive.
- C. At the time of conveyance described in these Regulations, Owner shall assign to the County all obligations or warranties whether express or implied, created by law or by contract, by manufacturers, contractors and vendors of the personal property comprising the sanitary sewer or water system within the Owner's property, to the extent the same may be assignable. Owner agrees that it will fully cooperate with the County in enforcing any warranties given by or claimed against all manufacturers, contractors and vendors of the personal property so conveyed, provided that any cost or expenses in connection therewith shall be borne by the County. Owner will not knowingly waive any such warranties which it obtains.

**116 - Right to Contract:**

The County has contracted, in the past, with entities outside the Fairfield County and/or within Municipal County Corporation Limits for the treatment and distribution of water and the collection, pumping, treating, and disposal of wastewater from or to the contracted entities. These entities are thereby part of the Fairfield County General Sewer District whether located in Fairfield County or not. The County reserves the right to contract with any entity at any time for the treatment and distribution of water, and the collection, pumping, treating, and disposal of wastewater.

**117 - Right to Refuse Service:**

The Director is hereby authorized to refuse service or issue water or sanitary sewer connection permits to any applicant when it has been determined that the issuance thereof would put an unreasonable demand upon the existing water system or wastewater system or would cause violations of the County's permits, State Law or Regulation, or Federal Law or Regulation or would be contrary to the goals and requirements of these regulations.

**118 - Amendments and Changes:**

The County reserves the right at any time to alter, amend or add to these Regulations or to substitute other Regulations.

**119 - Notice of Violation:**

A notice of violation of any provision of these Regulations shall be deemed served by the County with issuance of a written notice citation stating the nature of the violation, signed by the County, and mailed by U.S. mail to the last known address of the person causing the violation.

**120 - Appeals:**

In the event that any person disagrees with the County on any decision, finding or proposal action, that person has the right to appeal the decision, finding or proposal action, that person has the right to appeal the decision, finding or proposed action to the Director within fourteen (14) days of the decision, finding or proposed action. The person making the appeal shall state in writing the reason for the appeal to the County and provide the required documentation specified in Section 423 of these Regulations. The appeal shall be presented in a clear and concise manner and include all necessary information to permit the County to perform an adequate review of the reasons for the appeal. Upon review within thirty (30) days, the Director shall render a written determination. Within fourteen days of receipt of the written determination, the person may request an appeal hearing before the Board of County Commissioners. The procedures specified in Section 423 of

these Regulations shall be followed prior to requesting an Appeal hearing before the Board of County Commissioners. The decision of the Board of County Commissioners shall be final.

**121 - 198 - Reserved**

**199 - Penalty:**

Whoever violates any provision of these Regulations, Specifications or County directives pursuant to these Regulations shall be subject to the remedies allowed by law, be liable for fines and fees imposed in the Fairfield County User Charges, be liable for the cost of damages and the repairs incurred by the County, and be subject to having service discontinued and being disconnected from the water and/or sanitary sewer systems.

The Federal Clean Water Act and State Law enacting the Federal Clean Water Act contain criminal penalties, liabilities and imprisonment provisions for violations of Federal and State environmental laws. Whoever violates any provisions of these Regulations that also violates Federal and/or State laws shall be subject to the criminal statutory provisions allowed by law.

*199.01* Protection from Damage:

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, operate, uncover, deface, or tamper with any structure, appurtenance, or equipment, which is a part of the County waterworks, wastewater system or drainage system. Any person violating this provision shall be subject to immediate arrest and upon conviction shall be fined not more than \$500 for each offense, in addition to any repair and/or replacement costs resulting from such activity.

Notification of Accidental Release of Discharge: In case of any accidental release to the sewer or drainage system of an unacceptable discharge or of any substance or material considered by the County to be toxic or deleterious, as provided in this section, the user shall notify the County immediately and in no case later than one hour following such a discharge so that remedial action can be taken. Costs incurred to correct any damage resulting from such a discharge shall be charged to the user.

Failure to report such a discharge shall result in a charge of one thousand dollars (\$1,000) in addition to the costs of correction and in addition to any penalties provided by other laws, rules or regulations. Each such discharge shall be considered separately, and the cost and charges therefore shall be levied accordingly. A separate discharge shall be deemed made each day during or on which such discharge continues, and charges therefore shall be levied accordingly.

Such charges shall be collected by the County in the same manner as all other charges set by the County.

*199.02 Penalties:* Any person found to be violating, or in violation of any provisions of these Regulations, shall be served by the County with written notice stating the nature of the violation and providing five (5) days notice or a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. Failure to correct the subject violations shall entitle the County to cut off the violator's service after providing five (5) days notice or the reasonable time limit stated in such notice.

Any person who shall continue any violation of these Regulations beyond the time limit provided for in preceding sections may be guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding \$1000 for each violation, each day in which any such offense shall be deemed a separate and distinct violation.

Whoever violates any provision of these regulations shall become liable to the County for any expense, loss or damage occasioned by the County by reason of such violation including any costs assessed by the Ohio EPA and/or the U.S.EPA as a result of the wastewater treatment plants inability to treat and effectively reduce the pollutant involved.

*199.03 Federal Provisions:* The Federal Clean Water Act contains the following criminal penalties, liabilities, and/or imprisonment.

A. Any person who *negligently*:

1. violates the terms or conditions of a discharge permit;
2. fails to maintain the required records, fails to conduct the required monitoring or maintain the required monitoring or sampling equipment;
3. submits false material statements, representations or certifications in any record or document that is required to be created or maintained under an applicable permit;
4. discharges without the required permit; or
5. falsifies or tampers with or renders inaccurate any monitoring device;

may be punished by a fine of up to \$25,000 per day per violation or by imprisonment for up to 1 year, or by both.

B. Any person who *negligently* introduces into public sanitary sewer system wastewater which the person knows or reasonably should have known could cause property damage or cause



the treatment works to violate its discharge permit may be punishable by a fine of up to \$25,000 per day per violation or by imprisonment for up to 1 year, or by both.

- C. Any person who *knowingly* engages in any of the above conduct may be punished by a fine of up to \$50,000 per day per violation or by imprisonment for up to 3 years, or by both.
- D. Any person who *knowingly* engages in the above conduct and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury may be subject to a fine of up to \$250,000 or imprisonment for up to 15 years, or both. If an organization engages in the aforementioned conduct, they may be subject to a fine of up to \$1 million dollars. With respect to this particular provision, the term “serious bodily injury” includes an injury that would cause unconsciousness, extreme physical pain, or impairment of the function of a bodily member, organ or mental faculty.
- E. Any person who *knowingly* makes a false material statement, representation or certification in any application, record or other document required to be developed or maintained, or who *knowingly* falsifies, tampers with or renders inaccurate any monitoring device or monitoring method required to be used under the Clean Water Act may be punished by a fine of up to \$10,000 per day of violation or by imprisonment for up to 2 years, or by both.

Any person is defined to include any responsible corporate officer of a company or corporation.

199.04 State of Ohio Provisions: Under Ohio’s environmental laws, criminal penalties, liabilities, and/or imprisonment are provided for the following activities:

- A. Any person who *recklessly*:
  1. discharges pollutants to the waters of the State of Ohio without a valid and unexpired permit;
  2. violates the effluent limitations in an applicable permit;
  3. violates national categorical effluent guidelines;
  4. fails to maintain the required records, to make such records available for inspection, to allow entry to an authorized representative, or who hinders or thwarts such representatives during an inspection; or
  5. violates any order or other term or condition of a permit;may be fined up to \$25,000 per day of violation or imprisoned for up to 1 year, or both.

- B. Any person who *knowingly* submits false information or *knowingly* fails to submit information or records pertaining to a discharge as required under the permit may be fined up to \$25,000 per day of violation.

**END OF CHAPTER**

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## **Chapter II - Sanitary Sewer and Drainage System Use**

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### **201 - Purpose:**

To regulate the use of the sanitary sewer and drainage systems owned and operated by the County.

### **202 - Scope:**

This chapter establishes the discharge criteria for the sanitary sewer and drainage systems, and the procedures for handling discharges which fail to meet the established criteria.

### **203 - Governing Regulations:**

Where there appears to be, or there is in fact, a conflict between this chapter and **Chapter I - General Provisions**, the chapter providing the more stringent requirement, standard, or procedure shall govern.

### **204 - Definitions:**

The definitions of **Chapter I - General Provisions** shall be used in this chapter unless the context of any section of this chapter specifically indicates that such definitions are not applicable.

### **205 - Prohibited Discharges:**

If discharge is to a sanitary sewer tributary to a Fairfield County Wastewater Treatment Facility, then no person shall discharge or cause to be discharged any water or waters containing chemical constituents which would exceed permissible concentrations or quantities in the latest Ohio Water Quality Standards (Ohio EPA Regulations) or NPDES Permit limitations as administered by the Ohio EPA and U.S.EPA.

*205.01* No person shall discharge any substance directly into a manhole or other opening in a public sewer, other than through an approved building sewer.

*205.02* No person shall discharge, or cause to be discharged, to a County sanitary sewer any of the materials deleterious to any part of the County sanitary sewer system. Such deleterious materials or substances include, but are not necessarily limited to, any of the following described solid, liquid, vapor, substance, or waste:

- A. Any flammable or explosive such as gasoline, kerosene, benzene, naphtha, fuel oil, or any other flammable or explosive which by reason of their nature or quantity are or may be sufficient, either alone or by interaction, to cause fire or explosion or be injurious in any other way to the operation of the sanitary sewer system or treatment plant.

- B. Any wastewater having a temperature which will inhibit biological activity in the treatment plant resulting in interference. Any wastewater with a temperature at the introduction into the collection system which exceeds 150° F or causing the temperature at the wastewater treatment facility to exceed 104° F is not permissible.
- C. Any acid or alkaline in reaction, has corrosive properties, or is capable of causing damage or hazard to structures, equipment, the treatment process or people. The acidic or alkaline character of such wastes must be neutralized to within 6.5 to 9.0 pH.
- D. Any water or wastes containing strong acid iron pickling wastes or concentrated plating solutions, whether neutralized or not.
- E. Water or wastes containing readily releasable Cyanide (cyanide releases at a temperature of 150° F, 66° C, and pH = 2.5) in excess of 0.5 mg/l or total cyanide in excess of 1.0 mg/l.
- F. Water or wastes containing over 50 mg/l of readily biodegradable oils and grease which may become solid or viscous within the sanitary sewer system, any water or waste containing fats, waxes, free oils, emulsified oils and grease exceeding an average of fifty parts per million (417 pounds per million gallons) of other soluble matter or over 10 mg/l of mineral or other non-degradable oils and greases regardless of physical characteristics or containing substances which may solidify or become viscous at temperatures between 32°F and 150°F.
- G. Any toxic or poisonous substance in sufficient quantities or rate of flow, either singularly or by interaction with other wastes, to injure or interfere with any treatment process; to constitute a hazard to human or animals, create a public nuisance or create any hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the treatment plant, including cyanides. Maximum limits for such materials may be established by the County but the maximum so established should not be conclusive as to the civil liability of the offender.
- H. Any wastewater of such volume or contains such organic or other material load as to cause the wastewater treatment facility's design capacity to be exceeded or cause the County to incur additional expense in the handling or treating thereof, including any septage and holding tank wastes. The Director shall prohibit any new connection to the County sanitary sewer system if the discharge from such connections shall cause the hydraulic capacity of any portion of the collection, conveyance or treatment works to be exceeded.

- I. Any wastewater incompatible with the wastewater treatment process or inhibits the performance of the treatment process employed or are amenable to treatment only to such a degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- J. Can cause the wastewater treatment facility effluent to fail to meet the State and Federal regulatory agency's effluent requirements; or cause any other product of the treatment process such as residues, sludges, or scums, to be unsuitable for disposal, reclamation and reuse; or interferes with the reclamation process.
- K. Any waste causing a public nuisance, air pollution, or prevent the effective maintenance or operation of the sanitary sewer system by the release of offensive or malodorous odors; toxic, noxious, or poisonous gas producing substances.
- L. Any waters or wastes containing Suspended Solids (SS) of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant, or any substance which may cause the treatment plant's effluent or treatment residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. Unless approved by the County, wastewater shall not contain a strength in excess of 200 ppm BOD<sub>5</sub>, 200 ppm suspended solids and/or 15 ppm ammonia nitrogen.
- M. Any garbage that has not been properly shredded to a degree that all particles will be carried freely under the flow conditions of the sanitary sewer and with no particle greater than one-half inch in any direction. The installation and operation of any garbage grinder with a motor of 1.0 hp or larger shall be subject to the approval of the County.
- N. Any ashes, cinder, sand, mud, straw, shavings, metal, glass, rags, feather, tar, plastics, wood paunch, manure, hair, and fleshing, entrails, lime slurry, lime residues, chemical residues, paint residues, cannery waste, bulk solids or any other solid or viscous substance capable of causing obstruction to the flow in sanitary sewers or other interference with the proper operation of the sanitary sewer system and/or wastewater treatment facilities.
- O. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits as may be established by the Commissioners from time to time for such

materials, and which might inhibit efficient treatment or cause the treatment plant to violate its NPDES and/or other disposal system permits.

- P. Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the County as necessary, after treatment of the composite sewage, to meet the requirements of State, Federal, or other public agencies having jurisdiction for such discharge to the receiving waters, and which might cause the treatment plant to violate its NPDES Permit and/or other disposal system permits.
- Q. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the County in compliance with applicable State or Federal regulations.
- R. Materials which exert or cause:
1. Unusual concentrations of inert Suspended Solids (SS) such as, but not limited to, Fullers earth, lime slurries and lime residues, or of dissolved solids such as, but not limited to, sodium chloride and sodium sulfate.
  2. Excessive discoloration such as, but not limited to, dye wastes and vegetable tanning solutions.
  3. Biochemical Oxygen Demand, Suspended Solids (SS), or chlorine requirements in such concentrations as to constitute a load on the wastewater treatment works greater than that expected from normal domestic wastewater characteristics.
  4. Unusual volume of flow or concentration of wastes which exceeds, for a period longer than fifteen minutes, more than five times its average hourly flow or concentration.
- S. Is in excess of the State and Federal regulatory limitations or as listed in *Table 2.1 - Allowable Discharge Limits*; whichever is the most stringent. These maximum concentrations may be changed as necessary by the Director or state regulatory agencies based on new information concerning inhibitory substances or to protect treatment plant processes. Industrial dischargers covered by Federal pretreatment requirements shall meet those limitations specified under the effluent guidelines published under Section 304 b) and 307 b) of the Federal Act or the above concentrations, whichever is more stringent.

Table 2.1 - Allowable Discharge Limits

Substance or Material	Allowable Discharge (mg/l)
Aluminum	3.0
Arsenic	0.2
Barium	1.0
Boron	5.0
Cadmium	0.1
Chloride	500.0
Chromium – Hexavalent	0.5
- Total	2.0
Cobalt	1.0
Copper	0.5
Cyanide	0.5
Fluoride	5.0
Iron	5.0
Lead	0.5
Manganese	5.0
Mercury	0.0001
Molybdenum	5.0
Nickel	2.0
Phenols	1.0
Phosphorus	10.0
Selenium	0.1
Silver	0.02
Sulfides	10.0
Tin	3.0
Total Dissolved Solids	1,500
Tungsten	5.0
Zinc	1.0

- T. Any water or wastes containing solids, liquids, or gasses in sufficient quantity either singularly or by interaction with other wastes to injure or interfere with any sanitary sewer system, wastewater treatment process, or constitute a hazard to humans or animals.



- 205.03 The preceding list of substances is subject to revisions as required to meet current water quality standards or effluent standards imposed by state or federal agencies. In special cases (low volume users), the concentration of the applicable substances in the wastewater may be exceeded if it is determined by the County that the total pounds of the substances discharged to the wastewater system are not harmful to or will not interfere with the sewage treatment process or will not violate water quality or effluent standards.
- 205.04 Whenever State or Federal regulatory agency regulations require a specific pretreatment concentration for a specific industry, whichever is the more stringent concentration level between these Regulations and such regulations will apply.
- 205.05 No statement containing in these sections shall be construed as preventing any special agreement or arrangement between the County and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the County for treatment, subject to payment therefore by the industrial concern.
- 205.06 No statement contained in these sections shall be construed to interfere with any additional requirements that may be imposed by the U.S. EPA, Ohio EPA or the Ohio Department of Health.
- 205.07 No discharger shall dilute a waste stream as a substitute for adequate treatment to achieve compliance with the standards set forth in these regulations.
- 205.08 The National Categorical Pretreatment Standards as established by the EPA shall be met by all discharges of the regulated industrial categories. If a pollutant in an industrial discharge is limited by both National Categorical Pretreatment Standards and limits established by the County, the more stringent of the two limits shall govern.
- 205.09 No person shall discharge or cause to be discharged to any natural outlet, storm sewer or drainage system, wastewaters containing materials listed in *Table 2.1 - Allowable Discharge Limits* or any other polluted wastewaters.

**206 - Regulatory Actions for Prohibited Discharges:**

Any wastewaters or wastes containing any substance described in this Regulation are discharged or proposed to be discharged into the sanitary sewer system of the County or to any sanitary sewer system tributary thereto, the County may take any action necessary to:

- 206.01 Prohibit the discharge of such wastewater.

*206.02* Require a discharger to demonstrate that in plant modifications will control, reduce, or eliminate the discharge of such substances in conformity with these Regulations. This may include control over the quantities and rates of discharge.

*206.03* Require pretreatment, including storage facilities, or flow equalization necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate these rules and regulations.

*206.04* Require the person making, causing or allowing the discharge to pay any additional cost or expense incurred by the County for handling and treating excess loads imposed on the treatment system.

*206.05* Take such other remedial action as may be deemed to be desirable or necessary to achieve the purpose of these Regulations.

All industrial wastes discharged to the public sanitary sewers by major contributing industries shall, as a minimum, meet the National Pretreatment Standards or best practical control technology currently available for incompatible pollutants as published in the latest Federal Regulations, unless the County is committed, in its NPDES permit to remove a specified percentage of the incompatible pollutant. In those instances, the applicable pretreatment standards may be correspondingly reduced to levels determined by the County or State regulatory agencies.

**207 - Storm Water and Obstructions Prohibited in Sanitary Sewers:**

No person, corporation or entity being the owner, tenant or in possession of real property within the County shall do or permit to be done the following on or from such property:

*207.01* Discharge, cause to be discharged or permit to be discharged any storm water, ground water, surface water, roof water runoff, subsurface drainage water, or unpolluted cooling water into any sanitary sewer system of the County. Any such discharge shall be considered illegal and must be removed by the Owner of the premises at the Owner's expense.

*207.02* Install, cause to be installed or with knowledge thereof, permit to exist a sanitary sewer tap, pipe or other obstruction which protrudes into or otherwise obstructs a sanitary sewer of the County.

*207.03* With knowledge thereof cause or permit to exist, a root obstruction in a sanitary sewer of the County, which root obstruction comes or came from a tree or vegetation on such property.

207.04 As used herein, knowledge shall be presumed upon service of written notice as stipulated in

**Section 119 - Notice of Violation.**

**208 - Connection with County Sanitary Sewer Required:**

The owner of any house, buildings or properties used for human occupancy, employment, recreation, or other purposes, situated within the area under jurisdiction of the County and abutting on any street, alley or right of way in which there is now located or may in the future be located a public sanitary sewer of the County, is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly to the public sanitary sewer, in accordance with the provisions of these Regulations, within ninety (90) days after the date of official notice to do so, provided that the right-of-way in which the sewer is located is within 200 feet of any foundation wall of such house, building, or other property usable for human occupancy.

If connection to the sanitary sewer is not complete within 90 days after the date of official notice to do so, the County shall then proceed to make such connection at the expense of the owner and assess it upon the property. After said 90 day period has elapsed, the County shall immediately begin to charge the property owner the current sanitary sewer charges in affect and shall collect same according to the Regulations of the County. The County Sanitary Engineer is authorized to permit up to 180 days to connect for circumstances requiring additional time.

No person, either as owner, agent, renter, lessee or employee, shall attach or connect for drainage purposes more than one house, building or other structure, to any storm or sanitary sewer tap in any sanitary sewer of the County, provided that any private garage or similar non-livable building or structure used as an adjunct to, connected with and located on the same lot with any house, building or any other structure may be connected with the same tap as such house, building or other structure.

208.01 New Construction: To construct any structure on a property including, but not limited to, the construction of single family residences, multi-family residences, offices, commercial, manufacturing or industrial buildings, recreational facilities or any other kind of building or structure, the Owner shall, prior to the commencement of any construction or grading activities on said property, notify in writing the County of such intents, and provide to the County a copy of the building and site plans thereof. Thereafter, providing that said structure is designed with plumbing fixtures to provide sanitary wastewater removal, and provided that the County has determined that Owner's property is accessible to a County sanitary sewer, the Owner shall be required to obtain approval of the plans from the County and pay to the County the appropriate

connection fee, and any other applicable fees, prior to the commencement of any construction or grading activities. Thereupon, Owner shall be required to, simultaneously with the construction of any structure or structures, construct and pay for any lines, equipment and appurtenances necessary to connect into the County sanitary sewer system pursuant to these Regulations.

*208.02* Existing Buildings: The Owner of any real property containing existing structures, including, but not limited to, single family residences, multi-family residences, offices, commercial, manufacturing or industrial buildings, recreational facilities or any other kind of building or structure which contains plumbing fixtures to provide sanitary wastewater removal, and provided the County determines that the Owner's property is accessible to a County sanitary sewer, shall pay the appropriate connection fee and any other applicable fees, and connect said structure or building directly into the County sanitary sewer in accordance with these Regulations within 90 days after the date of mailing of official notice to do so. If connection to the sanitary sewer is not completed within 90 days after the date of official notice to do so, the County shall then proceed to make such connection at the expense of the owner and assess it upon the property. After said 90 day period has elapsed, the County shall charge the property owner the current sanitary sewer charges in affect and shall collect charges according to the regulations of the County.

*208.03* No person, either as owner, agent, renter, lessee or employee, shall build, construct, maintain or use on any lot, land or premises, within the County, any toilet, closet or privy the excrement from which is deposited in a vault, excavation or receptacle, which vault, excavation or receptacle is not connected with and flushed into a sanitary sewer, whenever such lots, lands or premises are capable of direct connections with any sanitary sewer.

*208.04* Where a public sanitary sewer is not available using the provisions herein, the building sewer shall be connected to a private sewage disposal system complying with the provisions of the regulations of the Fairfield County Health Department.

*208.05* The type, capacities, location, and layout of a private disposal system shall comply with all provisions of the regulations of the Fairfield County Health Department.

*208.06* At such time as a public sanitary sewer becomes available to a property served by a private sewage disposal system, as provided herein, a direct connection shall be made to the public sanitary sewer in compliance with this regulation, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with sand or other suitable

material at the time connection to the public sanitary sewer is made and the owner shall comply with all applicable requirements of these Regulations.

208.07 The Owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the County.

208.08 No person shall place, deposit, or permit to be deposited, in any manner on public or private property within the County or in any area under the jurisdiction of the County, any human or animal excrement, garbage or other matter which is or may become offensive, noxious, or dangerous to the public health.

208.09 No person shall discharge to the waters of the State within the area under the jurisdiction of the County, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with the requirements of the EPA or the local health department.

208.10 Following construction of a building sanitary sewer or on-lot system, the property owner shall own, maintain, repair or replace the building sanitary sewer from the building foundation to the publicly owned sanitary sewer.

**209 - Determination of Acceptability or Unacceptability of Discharge:**

The County shall determine the acceptability or unacceptability of any discharges to the sanitary sewer or drainage systems. Such a determination shall be made on a basis of sound engineering and operational evaluations taking into consideration the nature and concentration of the discharge, its point of entry into the system, its compatibility with other discharges in the system, its compatibility with the treatment facility receiving it, and all other factors pertinent to the effect of the discharge on any part of the system or treatment process.

209.01 Upon determination that an existing or proposed discharge is unacceptable, the County may:

- A. Refuse wastewater treatment service to the customer whose premise is discharging or who is proposing to discharge unacceptable waste and may order the removal of such discharges from the sanitary sewer system, including the physical removal of any and all connections to the system; or
- B. Require pretreatment of the unacceptable discharge by equipment or procedures acceptable to the County; and/or
- C. Require payment in an amount determined by the County, to compensate for added costs of handling, treating or disposing of the waste.

*209.02* When Pretreatment is to be used, the County shall:

- A. Require the submission of detailed plans, specifications, and sufficient design information to allow proper evaluation of proposed pretreatment facilities for approval prior to construction. Such approval by the County shall signify that best engineering judgement indicates that the proposed facilities will be capable of providing satisfactory pretreatment. Such approval does not in any way guarantee that the facilities will function satisfactorily, or that it will not be necessary to enlarge or otherwise modify the facilities to make them capable of providing satisfactory pretreatment. It remains the responsibility of the person submitting or causing the submission of the information to assure compliance with all discharge limitations.
- B. Require that the pretreatment facilities be operated and maintained to provide an acceptable discharge into the County's sanitary sewer or drainage systems.
- C. Require that such records be maintained and such tests be performed as required by the County based on the character of the influent and effluent, at the Owner's sole expense.
- D. Require the Owner to conduct annual inspections of the pretreatment equipment and facilities with County representatives.

*209.03* The County may order removal of the unacceptable discharge from the sanitary sewer system at any time during the pretreatment program implementation, if unsatisfactory progress or operation is evident, or if necessary, to protect the sanitary sewer or drainage systems from damage.

*209.04* If the County receives a service call for a property to investigate a sewage backup and perform services to clean a building sanitary sewer for which the owner is responsible, the County may charge the owner for labor, material and equipment costs incurred. Such charges may be placed on the owner's service bill.

**210 - Grease, Oil and Sand Interceptors:**

*210.01* Grease, oil and sand interceptors (exterior type only) shall be provided for all food preparation, automotive service, and car wash establishments and when in the opinion of the County, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients. All interceptors shall be of a type and capacity approved by the County and shall be located outside of the building in a readily and easily accessible location for cleaning and inspection. All floor drains, sinks, garbage disposals and dishwashers in food preparation areas must be connected

through the interceptor. They shall be of substantial construction, water-tight, and equipped with easily removable covers which when bolted in place, shall be gas-tight and water-tight.

In the maintaining of these interceptors, the Owner shall be responsible for the proper removal and disposal of the captured material by appropriate means and shall maintain records of the dates and means of disposal which are subject to review by the County. Any removal and hauling of the collected materials not performed by the Owner's personnel must be performed by a currently licensed waste disposal firm.

*210.02* Where installed, all grease, oil and sand interceptors shall be maintained and regularly cleaned, at least annually, by the Owner, at his expense, and keep the interceptors in continuously efficient operation at all times.

*210.03* The Owner of such establishments shall allow inspections by County personnel of the grease, oil and sand interceptors to determine that the systems are being operated and maintained efficiently.

**211 - Monitoring and Flow Measurement Facilities:**

Installation of wastewater monitoring and/or flow measurement facilities necessary to inspect, monitor, sample and test the amounts and characteristics of the wastewater discharges may be required of any customer by the County. A plan for proposed monitoring and flow measurement facilities shall be submitted to the County for approval within 60 days of receipt of request for installation. The installation shall be completed within 90 days of the County approval.

*211.01* Monitoring facilities and/or flow measurement facilities required by the County shall be constructed, operated, and maintained at no cost to the County. The entire facility shall be maintained at all times in a safe and proper operating condition by the organization installing the facility and/or causing the discharge that is being monitored and/or measured. Access to the monitoring and/or flow measurement facilities shall be made available immediately to authorized representatives of the County at any time. The authorized representatives of the County shall have the right to set up and operate additional monitoring equipment at the facilities.

*211.02* The monitoring facility shall be located as to be readily accessible at all times to representatives of the County. Access shall not be obstructed by parked vehicles, supplies or equipment or any other object or person which might prevent accessibility.

**212 - Discharge Reports:**

The County may require any person discharging or proposing to discharge wastewater into the sanitary sewer system to file discharge reports, on forms supplied by the County. The discharge reports shall include, but is not limited to, the nature of process, volume and rates of flow, production qualities or other information that relates to the generation of waste including substances and concentrations in the wastewater discharge. Such reports as required by the County may also include the chemical constituents and quantity of liquid or gaseous materials stored on site even though they may not normally be discharged. Discharge reports may be required at such intervals as determined by the County to be adequate to define changes in wastewater discharge characteristics. In addition to discharge reports, the County may require information relating to permit applications and self-monitoring reports that are submitted to any other Regulatory Agencies.

**213 - Public Record:**

All information and data obtained from reports, questionnaires, permit applications, permit and monitoring programs, and from inspections of any person or of the quantity or character of any waste shall be available to the public only to the extent required by law.

**214 - Protection from Accidental Discharge:**

Each property owner and resident of the County shall provide protection from accidental discharge to the sanitary sewer and drainage systems of any wastes prohibited by these Regulations. Such required protection shall include, but not be limited to, walls or dikes, separate storage facilities, removal of drain lines from locations where significant quantities of prohibited materials are maintained or other appropriate procedures to assure the prevention of discharge to the sanitary sewer or drainage systems.

Plans for installation of such control facilities or operating procedures shall be submitted to the County for approval prior to construction or at the time such control facilities are found to be necessary by either the property owner or the County. The review and approval of such plans and operating procedures shall not relieve any person of responsibility for preventing the discharge of unacceptable materials to the sanitary sewer or drainage systems. Any person in charge of or responsible for the process, activity or function that causes, generates or produces a prohibited waste shall notify the County immediately upon accidental loss or discharge in the sanitary sewer or drainage systems of prohibited materials, substances or waste to enable countermeasures to be taken to minimize damage to the sanitary sewer system and/or the receiving waters. This notification



shall be followed, within fifteen (15) days of the date of the occurrence, by a detailed written statement describing the causes of the discharge and the measures being taken to prevent future occurrences. Such notification will not relieve the responsible person of liability for any consequential expense, loss or damage to the wastewater treatment system or the receiving water's ecology. However, failure to notify upon knowledge of such prohibited discharge shall subject the responsible person to all penalties and remedies allowed by law. The costs of treating, removing and disposing the discharge shall be paid by the user.

**215 - Industrial Pretreatment Regulations:**

*215.01 Authority:*

- A. The County shall make and enforce rules and regulations establishing the types and characteristics of sewage, industrial wastes and other matter which shall be discharged into the sanitary sewage system, the types and characteristic of wastewater and industrial wastes admissible to the system only after pretreatment, requisites for pretreatment, and otherwise governing the discharge of sewage, industrial wastes and other matter into the system in the interest of safety and efficient operation of the wastewater treatment facilities.
- B. Pretreatment of industrial wastes from major contributing industries prior to discharge to the treatment works is required and is subject to the Rules and Regulations adopted by the U.S. EPA and published in 40 CFR Part 403, and "Federal Guidelines Establishing Test Procedures for Analysis of Pollutants" published in the 40 CFR Part 136, in addition to any more stringent requirements established by the County and any subsequent State or Federal Guidelines and Regulations.
- C. Plans, specifications, and any other pertinent information relating to pretreatment or control facilities shall be submitted for approval of the County and no construction of such facilities shall be commenced until approval in writing, is granted. Where such facilities are provided, they shall be maintained continuously in satisfactory and effective operating order by the owner at the Owner's expense and shall be subject to periodic inspection by the County to determine that such facilities are being operated in conformance with applicable Federal, State, and local laws and permits. The owner shall maintain operating records and shall submit to the County a monthly summary report of the character of the influent and effluent to show the performance of the treatment facilities and or comparison against County monitoring records.

215.02 Prohibited Non-Residential Discharges:

- A. It shall be unlawful for any nonresidential user to discharge without a permit to any natural outlet within any area under the jurisdiction of the County, any wastewater except as authorized by the County in accordance with these regulations.
- B. In cases where the characteristics of sewage or industrial wastes from any manufacturing or industrial plant, building, or premises is such that it will damage the wastewater system or cannot be treated satisfactorily at the wastewater treatment plant, the County shall compel such users to dispose of such waste and prevent it from entering the wastewater system.

215.03 New Industrial Users: Proposed new significant major industries and other industrial users shall apply for Wastewater Discharge Permit, in the form prescribed by the County with a fee set in accordance with the Fairfield County User Charges currently in effect, at least 90 days prior to connecting to or contributing to the wastewater system and shall have obtained such Permit before such connection or contribution is made. In support of the Wastewater Discharge Permit Application, the user shall submit, in units and terms appropriated for evaluation, the following information:

- A. Name, address and location;
- B. SIC number according to the Standard Industrial Classification Manual, 1987, Office of Management and Budget, as amended;
- C. Wastewater constituents and characteristics required by the County as determined by a reliable analytical laboratory. Sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304 (g) of the Act and contained in 40 CFR Part 136, as amended;
- D. Time and duration of contribution;
- E. Average daily and peak wastewater flow rates, including daily, monthly and seasonal variations if any;
- F. Site plans, floor plans, mechanical and plumbing plans and details to show all sanitary sewers, sewer connections and appurtenances by the size, location and elevation;
- G. Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged;
- H. The nature and concentration of any pollutants in the discharge which are limited by the County, State or Federal Pretreatment Standards, and a statement regarding whether or not

the pretreatment standards are being met on a consistent basis and if not, whether additional Operation and Maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable Pretreatment Standards;

- I. If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest compliance schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. The following conditions shall apply to this schedule:
  1. The compliance schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.)
  2. No increment referred to in paragraph (1) shall exceed nine (9) months.
  3. No later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a compliance schedule progress report to the County including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than 9 months elapse between such progress reports to the County.
- J. Each product produced by type, amount, process or processes and rate of production;
- K. Type and amount of raw materials processed (average and maximum per day);
- L. Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of the pretreatment system.
- M. Any other information as may be deemed by the County to be necessary to evaluate the permit application.

The County will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the Director may issue a Wastewater Discharge Permit subject to terms and conditions provided herein.

Where pretreatment or equalization of wastewater flows prior to discharge into any part of the wastewater treatment system is required, plans, specifications, other pertinent data or information, including installation of facilities and equipment relating to such pretreatment or flow control facilities shall be subject to the review and approval of the Director. Such approval shall not exempt the discharger or such facilities from compliance with any applicable code, rule, regulation, or order of any governmental authority. Any subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without due notice to and prior approval of the Director.

Grease and Oil Interceptors - for grease, oil and inorganic material such as sand, grit, etc., interceptors shall be provided when in the opinion of the County, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in this Regulation, or any flammable wastes, sand, or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Director, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the County. Any removal and hauling of the collected materials not performed by the owner(s) personnel must be performed by currently licensed waste disposal firms.

If pretreatment or control of waste flows is required, such facilities shall be continuously maintained in good working order and operated as effectively and efficiently as possible by the owner or operator at his own cost and expense, subject to the requirements of these rules and regulations and all other applicable codes, Resolutions, and laws. All pretreatment activities shall comply with Federal Law 40 CFR 403.

**215.04 Regulated Non-Residential Discharges:** In cases where the character of sewage or industrial waste from any manufacturing or industrial plant, building or premises shows excessive flow rates or concentration of pollutants such that it imposes an unreasonable burden upon the sewage collection, pumping, or treatment works greater than that imposed by the average sewage entering the sewage system, the County may:

- A. Require such manufacturing or industrial plant, building, or premises to pretreat such sewage in such manner as specified by the County before discharging it into the sewage system;
- B. Require flow control or equalization of such wastes so as to avoid any “slug” loads or excessive loads that may be harmful to the treatment works; and/or
- C. Require payment of a surcharge on any loadings discharged to the treatment works to cover the additional costs of treating such wastes;
- D. Require payment of a capacity charge on any excessive flows discharged to the treatment works to cover the additional costs of having capacity for such wastes.

215.05 Pretreatment Interceptors and Facilities:

- A. If pretreatment or equalization of waste flows is required by the County, the design of the facilities required shall be subject to County approval as well as applicable regulations and laws. Any entity desiring to install pretreatment facilities must obtain a permit to install from the Ohio EPA. Where preliminary treatment or flow equalization facilities are provided, they shall be maintained in proper operation by the Owner.
- B. All food establishments which maintain a kitchen or other facilities for the preparation of food shall have a grease interceptor of sufficient capacity, except such interceptor shall not be required for private residential dwellings.
- C. Other nonresidential users may be required by the County to install grease, oil, sand, and grit interceptors or other pretreatment treatment units of sufficient capacity if in the opinion of the County, they are necessary to protect the sewage system or for proper handling of liquid wastes containing such harmful substances.
- D. All interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight as approved by the County. All interceptors shall be located as to be readily accessible for cleaning and inspection.

215.06 Pretreatment Costs: Any pretreatment facility or flow-equalizing facilities required by the County shall be constructed, owned, maintained, repaired and replaced at the cost of the owner. Prior to construction of such facilities, the owner shall submit and receive the County’s approval

of detail design plans for the facilities. Thereafter, such facilities shall be maintained continuously in satisfactory operation at the cost of the owner.

215.07 Pretreatment Reporting:

- A. Industrial dischargers regulated by the National Categorical Pretreatment Standards shall submit a compliance report to the County during the months of June and December, unless required more frequently in the Standards or by the County. This report shall include the nature and concentration of prohibited or regulated substances in the effluent. This report shall also include a record of all measured or estimated average and maximum daily flows. All analysis shall be performed by or for the discharger in accordance with 40 CFR Part 136 and amendments. Where 40 CFR Part 136 does not include an analytical technique for the pollutant in question, sampling, and analysis shall be performed in accordance with EPA publication “Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants” and amendments thereto, or by any other procedures approval by the EPA at the discretion of the County. In consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the County may alter the months during which the reports are to be submitted.
- B. Any industrial discharger shall, if required by the County, submit to the County a quarterly report indicating the nature and concentration of all substances prohibited or regulated by the regulations or federal Categorical Pretreatment Standards that are contained in its discharge and the average and maximum daily flows.
- C. All industrial users who discharge or propose to discharge wastewaters to the wastewater treatment system shall maintain such records of production and related factors, effluent flows, and pollutants that are necessary to demonstrate compliance with the requirements of any applicable state or federal pretreatment standards for requirements.
- D. Such records shall be made available upon request by the County. All such records relating to compliance with pretreatment standards shall be made available to officials of the EPA.
- E. All dischargers subject to these regulations shall retain for no less than three years any records, documents, reports, correspondence, and any summaries thereof, relating to monitoring, sampling and analysis made by or for the discharger in connection with its discharge. All records which pertain to matters subject to administrative adjustment or other enforcement of litigation activities brought by the County pursuant hereto shall be retained

by the discharger until all enforcement activities have concluded and all periods of limitation with respect to any appeals have expired.

- F. In the event any substance or waste, the discharge of which is prohibited by these Regulations, is discharged to the wastewater system, the person(s) responsible for the discharge shall notify the County immediately so that remedial action can be taken. All cost to correct any damage resulting from the discharge shall be charged to the person responsible for the discharge. Each such discharge shall be considered separately and costs shall be levied accordingly. Failure to report such discharge or to take corrective measures necessary to prevent a subsequent noncomplying discharge after being notified by the County to do so and being given a reasonable time in which to take such measures, shall result in the sanitary sewer through which the discharge enters the public sanitary sewer being disconnected. Said sanitary sewer will not be reconnected until, in the opinion of the County, proper corrective measures have been implemented.

**215.08 Pretreatment Monitoring:**

- A. Access to premises for inspection of discharge - The Director or designated representatives shall be permitted to enter all properties at reasonable times for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of these Regulations. The Director or designated representatives shall have no authority to inquire into any industrial processes beyond the point which has a direct bearing on the type and source of discharge to the sanitary sewers for waste treatment.
- B. Each nonresidential user may be required to construct and maintain one or more control manholes, access points, or measuring devices to facilitate observation, measurement, and sampling of the wastes including domestic sewage.
- C. When required by the Director, control manholes, access facilities, or any necessary meters shall be located and built in a manner acceptable to the County. If measuring devices are to be permanently installed, they shall be of a type acceptable to the County. Plans for the installation of the control manholes or access facilities and related equipment shall be approved by the County prior to the beginning of construction. The structures and facilities shall be installed by the Owner at his expense and maintained by him so as to be safe and accessible at all times.

D. Wastewater Volume Determination – The volume of flow used for computing industrial waste surcharges shall be metered water consumption of the person except as herein provided in this paragraph.

If the person(s) discharging industrial wastes into the public sanitary sewers procures any part, of this water from sources other than a metered, public water system, all or part of which is discharged into the public sanitary sewer, the person shall install and maintain at his expense water meters of a type approved by the Director for the purpose of determining the volume of water obtained from other sources. Access to these meters shall be made available to representatives of the County at any reasonable time. The accuracy of said meters shall be verified at discharger's expense on a once per two year basis at a minimum or at the request of the Director by an independent testing company.

The person(s) discharging industrial wastes into the public sanitary sewers may install and maintain at his expense metering devices for determining the volume of waste being discharged to the public sanitary sewer, from which the industrial waste surcharge would be computed. The measuring devices shall be of a type acceptable to the Director.

The Director may require the installation of devices for measuring the volume of waste discharged if these volumes cannot otherwise be determined from the metered water consumption records. Any metering device for determining the volume of waste discharged to the public sanitary sewer shall be installed, owned and maintained by the person responsible for its discharge following approval and installation, such meters may not be removed without the consent of the Director.

E. The monitoring equipment shall be located and maintained on the industrial user's premises outside of the building. When such a location would be impractical or cause undue hardship on the user, the Director may allow such facility to be constructed in the public street or sidewalk area, with the approval of the public agency having jurisdiction over such street or sidewalk, and located so that it will not be obstructed by public utilities, landscaping or parked vehicles.

F. Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the County's requirements and all applicable construction standards and specifications.



- G. All measurements, test, and analyses of the characteristics of waters and wastes to which reference is made in this regulation shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater and in accordance with 40 CFR Part 136 entitled “Guidelines Establishing Test Procedures for Analysis of Pollutants,” and shall be determined at the control manhole provided or upon suitable samples taken at such control manhole.
- H. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole at which the building sewer is connected to the public wastewater system.
- I. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the wastewater works and to determine the existence of hazards to life, limb and property. The particular analysis involved will determine whether a twenty-four hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids (SS) analyses are obtained from twenty-four hour composites of all outfalls, whereas pHs are determined from periodic grab samples.
- J. If necessary, the County shall have the right to enter and set up, on the nonresidential users property, such devices as are necessary to conduct a gauging and sampling operation and to begin such operation without advance notice to the owner. While performing the work, the County’s personnel will observe all safety rules applicable to the premises, established by the property owner.
- K. Sampling and Monitoring – Industrial wastes discharged into the public sanitary sewers shall be subject to periodic inspection with a determination of character and concentration of said wastes. The determination shall be made as often as may be deemed necessary by the Director but in no case less than two (2) twenty-four hour composite samples per month. The owner shall be responsible for the collection and testing of the aforementioned samples.
- Samples shall be collected in such a manner as to be representative of the composition of the wastes. The sampling shall be accomplished by the use of automatic sampling equipment capable of collecting composite samples. Access to sampling locations shall be granted to the engineer or his authorized representative at all times. Every care shall be

exercised in the collection of samples to insure their preservation in a state comparable to that at the time the sample was taken.

- L. Analysis of Industrial Wastewaters – Laboratory analysis of industrial wastewater samples shall be performed in accordance with the current edition of “Standard Methods” or the “Methods for Chemical Analysis of Water and Waste” published by the EPA. Analysis of those pollutants not covered by these publications shall be performed in accordance with procedures established by the Ohio EPA. However alternative methods for certain analysis of industrial wastes may be used subject to mutual agreement between the Director and the person responsible for its discharge. Determination of the character and concentration of the industrial wastes shall be made by the person responsible for the discharge, or his qualified agent as approved by the Director. The results of the analyses, shall be reported to the County on a monthly basis on forms provided by the County. The County shall make its own analyses on the wastes and these determinations shall be binding as a basis for charges, except under circumstances in the following paragraph. Testing standards shall comply with Federal Law 40 CFR 136.

In case the analyses performed by the industry and the County result in substantially different values, an effort shall be made by the industry to collect samples at the same time the County collects its own samples. The results of the analyses on the samples collected by the County and the industry shall be compared using the same testing procedures as outlined in the latest edition of “Standard Methods” and the differences negotiated.

**215.09 Accidental Discharges:** No statement contained in this section shall be construed as preventing any special agreement or arrangement between the County and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the County for treatment, subject to payment therefor by the industrial concern in proportion to cost and consistent with the user charge system.

- A. Each user may be required to provide protection from accidental discharge of prohibited materials or other wastes regulated by this regulation. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the cost of the owner. Detailed plans showing facilities and operating procedures to provide such protection shall be submitted for review by the County, and shall be approved by the County before construction of the facility. Review and approval of such plans and operating procedures shall not relieve

the nonresidential user from the responsibility to modify the facility as necessary to meet the requirements contained in this regulation.

- B. If, for any reason, a user does not comply with or will be unable to comply with any prohibition or limitations herein, the user shall immediately notify the County that corrective action may need to be taken to protect the treatment plant. In addition, a written report addressed to the County detailing the date, time and cause of the accidental discharge, the quantity and characteristics of the discharge, and corrective action taken to prevent future discharges, shall be filed by the user within five (5) days of the occurrence of the noncomplying discharge.

215.10 Revocation and Suspension of Service:

- A. Whenever the County finds that any discharger has engaged in conduct which justifies revocation of a discharge permit or suspension of service, the County shall serve upon such discharger a written notice, either personally or by certified mail, stating the nature of the violation. Within ten (10) days of receipt of the notice, the discharger shall respond personally or in writing advising of its position with respect to the allegations. The parties shall then meet to ascertain the veracity of the allegations and, if necessary, establish a plan for correction, thereof.
- B. Notwithstanding the provisions of Paragraph A above, the County may for good cause immediately suspend the treatment services of discharger when it appears that an actual or threatened discharge presents an imminent danger to the public health and welfare, substantial danger to the environment, interference with operation of the wastewater treatment plant, or violates any pretreatment limits proposed by these regulations or any discharge permit issued pursuant to the regulations. Any discharger notified of the suspension of service shall, within a reasonable period of time, as determined by the County, cease all discharges. If the discharger fails to comply voluntarily with the suspension order, the County shall disconnect service lines from the sanitary sewer system and commence judicial proceedings to compel the dischargers compliance. The County shall reinstate the dischargers service and terminate judicial proceedings upon proof of the elimination of the non-complying discharge creating the threat of imminent or substantial danger as set forth above.
- C. The County may revoke the permit and/or disconnect the service of any discharge which:

1. Fails to factually report the constituents and characteristics of its discharge in any required report;
2. Fails to report significant changes in discharge constituents or characteristics;
3. Refuses reasonable access to the dischargers premises by representatives of the County for inspection or monitoring; or
4. Violates the conditions of its permits application or contract, or these regulations.

**215.11 Surcharges for Extra Strength Wastes:**

A. Any person who is connected to the County wastewater system and who contributes wastes exceeding the standards set forth below shall pay an additional charge to cover the costs of handling those wastes:

Suspended Solids (SS) .....	200 mg/l
Biochemical Oxygen Demand - 5 day (BOD <sub>5</sub> ) .....	200 mg/l
Phosphate (PO <sub>4</sub> ).....	20 mg/l
Ammonia as Nitrogen (NH <sub>3</sub> -N).....	15 mg/l

B. For use in determining the BOD<sub>5</sub>, Suspended Solids, Phosphate and Ammonia-Nitrogen concentrations, an average will be used which will be established from a minimum of two tests per month taken on composite samples or other methods as approved by the County Sanitary Engineer.

C. The charges for handling these wastes exceeding the limits set forth above shall be based on the following formula:

$$C_s = \frac{[(B_c \times B) + (S_c \times S) + (P_c \times P) + (N_c \times N)] \times V_u \times 8.345}{1.44}$$

$C_s$	=	Cost of Surcharge
$B_c$	=	Unit Cost of BOD <sub>5</sub> *
$B$	=	Concentration of BOD <sub>5</sub> (exceeding base of 200 mg/l)
$S_c$	=	Unit Cost of Suspended Solids*
$S$	=	Concentration of Suspended Solids (exceeding base of 200 mg/l)
$P_c$	=	Unit Cost for PO <sub>4</sub> *
$P$	=	Concentration of PO <sub>4</sub> (exceeding base of 20 mg/l)
$N_c$	=	Unit Cost of NH <sub>3</sub> -N*
$N$	=	Concentration of NH <sub>3</sub> -N (exceeding base of 15 mg/l)
$V_u$	=	Total Volume of Flow in million gallons
$8.345$	=	Constant of Proportionality

\*

Unit Costs to be determined by the Director based on service area and treatment works affected

- D. The charges calculated from the rate structure for any billing period plus the cost of surcharge as calculated in Paragraph C above will be the charge made to that customer for that billing period. In addition to the surcharge, the user will pay the user charges as defined in other sections of this Regulation.
- E. The pounds of BOD per day, pounds of SS per day, pounds of PO<sub>4</sub> per day and pounds of NH<sub>3</sub>-N above the concentrations previously described for normal strength sewage that are discharged to the sewage system, shall be determined by the County Sanitary Engineer or his authorized representative.
- F. In addition to a surcharge of BOD<sub>5</sub>, SS, PO<sub>4</sub> and NH<sub>3</sub>-N, the County shall have the right to surcharge any user for the discharge of any pollutant into the wastewater system or for any other reason deemed necessary and appropriate, such as excessively high rates of discharge.

**216 - User Charge Regulation:**

*216.01* Deficit Prohibited: As part of the annual review provided herein, the Director or other representative shall make an estimate of the revenues and expenses for the next year. After deducting the estimated operation and maintenance costs, the estimated debt service costs, and the repair and replacement reserve payment from the total estimated revenues and net carryover from the previous year, the system shall maintain a positive working capital.

*216.02* Methodology of Sewer Service Charges: The user charge rate, surcharge rates for treatment and debt service charge calculated as follows:

*216.03* Use of Revenue: The funds received from the collection of the rates and charges provided in these Regulations shall be deposited as received by the County into separate funds designated the “Fairfield County Sewer District Fund”. Disbursement from the funds may be made for operation and maintenance costs, debt service costs, and payments to the “Sewer Repair and Replacement Funds”, as well as for enlargement of the water and wastewater, treatment, capacity of the system. The County Auditor shall separately invest the funds and pay any investment earnings to the debt service.

*216.05* Free Service Prohibited: Service will be provided to the users of the system in accordance with the terms of these Regulations. No user shall be provided service without payment of service charges in proportion to the service available to such user. No one,

including the County, shall subsidize the cost of operating, maintaining, or replacing any part of the water or wastewater systems.

**217 - 298 - Reserved:**

**299 - Penalty:**

Whoever violates any provision of this Chapter or County directives pursuant to this chapter shall be subject to the remedies of **Section 199 - Penalty** of these Regulations.

**END OF CHAPTER**

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## Chapter III - Water System Use

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### **301 - Purpose:**

To regulate the use of the water system owned and operated by the County.

### **302 - Scope:**

This Chapter establishes the criteria for the use of the water system and the procedures for handling the uses of the system which fail to meet the established criteria.

### **303 - Governing Regulations:**

Where there appears to be, or there is in fact, a conflict between this chapter and **Chapter I - General Provisions**, the chapter providing the more stringent requirement, standard, or procedure shall govern.

### **304 - Definitions:**

The definitions of **Chapter I - General Provisions** shall be used in this chapter unless the context of any section of this Chapter specifically indicates that such definitions are not applicable.

### **305 - Prohibited Use:**

No person shall connect any pipe or conduit which directly or indirectly connects the County water system to:

*305.01* Any pipe or conduit containing, or intended to contain any liquid or material that would or could contaminate the water provided by the County or be injurious to the customer's health or welfare, or be injurious to the water system,

*305.02* Any private well system or other private source of water, or any system of liquid conveyance such as sanitary sewer drains or tiles,

*305.03* Any pond, lake, pool, or any devices there in, without County approved backflow protection,

*305.04* Any system that serves buildings other than the buildings for which the service was obtained and/or,

*305.05* Any system that serves buildings where approval by the County has not been obtained.

### **306 - Protection from Accidental Contamination or Damage:**

Each person or customer of the water system shall protect the portion of the system on their premises from damage or contamination at their own expense, and must prevent any unnecessary waste of water. Each person or customer must comply with the County's Cross Connection



Control Policy as provided in Exhibit A. Any person in charge of or responsible for a process, use or activity that causes or produces damage, or adds compounds, elements or materials to the water, or otherwise contaminates the water in the County water system shall immediately notify the County. Such notification will not relieve the responsible person of liability for any consequential expense, loss or damage to the water system, or injury or disease to persons or property using the water service.

**307 - Unauthorized Activities:**

*307.01* No customer or person shall cause, permit or add any material additives or compounds to the water provided by the County without obtaining prior County approval.

*307.02* No customer or person shall use any water from the system without such water being metered and payment made thereof unless authorized by the Director of Utilities. Hydrant meters are available from the County for rental and shall be used only for watering newly sodded lawns, filling swimming pools, and for building construction or as approved by the Director of Utilities.

*307.03* Any customer, person, firm or company representative found using water unmetered or from a hydrant unmetered shall be subject to the penalties specified in Section 199 and be fined a minimum of \$500.00 per occurrence plus estimated water usage at the current water rate as determined by the County.

*307.04* No changes, alternations or extension of any fire system shall be made without first securing a permit from the County. Application for the same shall be made in the same manner and under the same condition for a new connection.

*307.05* No addition to, or alteration of any taps, pipe, water-cock or other fixtures, shall be made or cause to be made by persons having water and sanitary sewer except through a duly qualified plumber, and by permit obtained from the County.

*307.06* No plumber shall, after making any connection with the service pipes, or after making repairs or putting in any new attachments, leave the curb-stop open and the water on the premises without permission from the County. Any plumber leaving water turned on without the permission of the County shall be held responsible for all water used.

**308 - Water Meters:**

*308.01* Meters will not be set until the building construction is sufficiently completed such that the building can be locked and protected from freezing conditions. Once a building requests

that the water meter be installed, that builder is responsible for all water use charges, whether the building is locked or left unlocked.

*308.02* The water meters and their associated appurtenances are the property of the County and may be changed, maintained and altered solely at County discretion. Upon notification by a customer of a suspected faulty or inaccurate meter, the County shall repair or replace the meter with a manufacturer's tested meter. The replaced meter will then be tested.—If the tested meter is accurate within the manufacturers' limits, the County may assess a replacement charge as established in the Fairfield County User Charges. Repairs to meters caused by damage or reason of negligence or accident will be charged to the Owner. A suspected inaccuracy or faulty meter is not grounds for non-payment. A single meter shall service no more than one dwelling or building.

*308.03* Meters shall only be set or removed by authorized employees of the County. Water shall only be turned on or off by the authorized employees of the County provided however, that licensed Fairfield County Utilities plumbers may turn water on to test their work, but must shut it off immediately after such test.

*308.04* No connection shall be made ahead of any meter. Meters shall not be tampered with, repaired, or seals broken except by authorized employees of the County.

*308.05* All water connections installed shall be supplied by meter only. The meter and remote unit shall be furnished by the County. Payment for the meter and remote unit shall be made by the customer or builder, in an amount as determined by the County.

**309 - Obstructions Prohibited in Water Lines:**

All property owners are prohibited from installing, causing to be installed, or with knowledge thereof, permitting to exist a tap pipe or other obstruction which protrudes into or otherwise obstructs a water line of the County. As used herein, knowledge shall be presumed upon service of written notice as stipulated in **Section 119 - Notice of Violation.**

**310 - Connection with County Water Lines Required:**

The owners of all houses, buildings or properties used for human occupancy, employment or recreation, situated within the County are not required but may connect such facilities directly into the County water system provided such water system is accessible to the facilities and water pressure will be maintained above 35 psi at all times. A single water service pipe, intended to

supply two or more distinct premises or tenements must be provided with separate and distinct curb stops and/or meter pits for each tenement, to be placed on the outside of each premises on the sidewalk, or the public alley, opposite the same, as the County may direct. Each premise must pay the appropriate connection fee.

**310.01 New Construction:** To construct any structure on a property including, but not limited to, the construction of single family residences, multi-family residences, office, commercial, manufacturing or industrial buildings, recreational facilities or any other kind of building or structure, the Owner shall, prior to the commencement of any construction or grading activities on said property, notify in writing the County of such intents, and provide to the County a copy of the building and site plans thereof. Thereafter, providing that said structure is designed with plumbing fixtures to provide water service, and provided that the County has determined that Owner's property is accessible to a County water line, the Owner shall be required to obtain approval of the plans from the County and pay to the County the appropriate tap fee, and any other applicable fees, prior to the commencement of any construction or grading activities. Thereupon, Owner shall be required to, simultaneously with the construction of any structure or structures, construct and pay for any lines, equipment and appurtenances necessary to connect into the County water line pursuant to these Regulations.

**310.02 Existing Buildings:** The Owner of any real property containing existing structures, including, but not limited to, single family residences, multi-family residences, offices, commercial, manufacturing or industrial buildings, recreational facilities or any other kind of building or structure which contains plumbing fixtures to provide water service, and provided the County determines that the Owner's property is accessible to a County water line, must pay the appropriate connection fee and any other applicable fees, and connect said structure or building directly into the County water system in accordance with these Regulations.

**311 - 398 - Reserved:**

**399 - Penalty:**

Whoever violates any provision of this Chapter or County directives pursuant to this Chapter shall be subject to the remedies of **Section 199 - Penalty** of these Regulations.

**END OF CHAPTER**

## Chapter IV - Connections, Fees, Permits and Billing

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### **401 - Purpose:**

To establish the procedures, requirements, and costs for connecting to and making use of the County water and sanitary sewer systems.

### **402 - Governing Regulations:**

Where there appears to be, or there is in fact a conflict between this chapter and **Chapter I - General Provisions**, the chapter providing the more stringent requirement, standard, or procedure shall govern.

### **403 - Definitions:**

The definitions of **Chapter I - General Provisions**, shall be used in this chapter unless the context of any section of this Chapter specifically indicates that such definitions are not applicable.

### **404 - Application Request for Water or Sanitary Sewer Service:**

All applications for water or sanitary sewer service must be made on forms provided by the County and be completed in a timely manner. Each application or request must truthfully state and fully disclose the uses to be made of the water or sanitary sewer service provided. A separate request for service form is required for each premise. Each application must be signed by the owner of the premise to be supplied water or sanitary sewer service. A new application must be made each time the property changes ownership. In the event an issued permit is not used by a developer, builder, or contractor, said permit will be voided. A new permit must be applied for and issued for the new location.

Any person(s) applying for a permit to connect to a public sanitary sewer shall provide, with the application for said building sanitary sewer permit, sufficient data, as required by the County, regarding the location, type of wastewater and amount of flow to be conveyed to the public sanitary sewer. Any costs associated with Additional Charges herein shall be borne by the person applying for the building sanitary sewer permit.

### **405 - Deposits, Fees and Charges:**

The Fairfield County Commissioners shall establish the deposits, fees and charges for the connection to and use of the County water and sanitary sewer systems. These deposits, fees and

charges shall be listed in a schedule, approved by Resolution of the Fairfield County Board of Commissioners and provided on the county website. The latest schedule as approved and in force on the date a deposit, fee or charge as required shall govern the amount of funds required to connect and use the County water and sanitary sewer system. Prepayment of water and/or sanitary sewer connection fees will not be accepted, unless specifically approved by written agreement and Resolution with the County Commissioners.

**406 - Connection to the Water and Sanitary Sewer Systems:**

*406.01* All connections shall be made and maintained in accordance with County specifications and standards. Any connection not made in accordance with County specifications and standards results in the loss of the permit deposit and/or other penalties allowed by these Regulations. No person shall;

- A. Uncover, make connection with, or an opening into use, alter, or disturb any public water lines, sanitary sewer, or appurtenances thereto without having first obtained a permit from the County and having a County inspector on site.
- B. Connect a service line to more than one building or facility without the County's prior approval.
- C. Install, cause to be installed, or permit to exist a connection, tap pipe, or other obstruction which protrudes into or otherwise obstructs a County sanitary sewer or waterline.
- D. Connect any source of storm, surface, or ground water into the County system or service line, as described in Chapter II and Chapter III of these Regulations.

*406.02* All floor drains, sink traps, stand pipes or other openings into the sanitary sewer service line which are in the basement level or, if there is no basement, in the ground floor level shall be plugged or sealed to eliminate storm surface or ground water from entering the service line. No sump or other groundwater pumps shall be discharged into the service line.

*406.03* All Line Charges, Meter Charges, Inspection Fees, Deposits, and Connection Fees as provided for herein and the Fairfield County User Charges are due at the time of applying for a permit and prior to the issuance of the permit to install.

*406.04* The payment of a connection fee does not relieve any person from the responsibilities enumerated in these Regulations. No permit to connect a property to a County system shall be issued nor shall any such connection be made unless and until the fees herein imposed, along with all other charges and fees that pertain to that County system, have been paid.

406.05 All permits shall become null and void if not used within one hundred eighty (180) days from the date of issuance. At the end of the 180 day period, all line charges, meter charges, connection fees, and inspection fees, minus a \$300.00 processing and handling fee shall be refunded and the permit becomes null and void. Permits for water and/or sanitary sewer connections are not transferable from lot to lot or location to locations.

406.06 No person, other than the properly authorized agents of the Utilities Department, will be permitted to tap or make any connections with the water or sanitary sewer mains or distributing pipes of the water and sanitary sewer works.

406.07 An application on a form furnished by the County, for a permit for a water or sanitary sewer tap and inspection, shall be made to the County, at which time a connection fee for each tap shall be paid to the County. The application must be signed by the owner or his duly authorized agent of the property which means the owner or his duly authorized agent agrees to be responsible for water and sanitary sewer rent on said property.

406.08 In furnishing the line from the street, the County will determine the size of the tap to be made in the water main under any application, and in no event will one consumer be granted a larger size unless said consumer pays the difference in cost of such increase desired over the standard tap as usually made.

**407 - Owner to Bear Cost and Be Responsible for Service Lines:**

407.01 All costs and expenses incidental to the installation, connection of, removal of, modification of, addition to, or relocation of any waterlines, water meters, valves, hydrants, sanitary sewers, manholes, or service lines shall be borne by the applicant or owner of the property performing the work or being connected to the County system. The Owner shall repair, adjust or restore any drains, service lines or other appurtenances damaged or disturbed during the construction of sanitary sewers, water mains, drainage facilities, or service lines. The Owner shall indemnify the County from any loss or damage that may directly or indirectly be caused by the installation or relocation of any such water, drainage or sanitary sewer connection or facilities.

407.02 The property owner shall be responsible for all leaks or blockages in a service line and shall, at his or her expense, construct, maintain, repair, replace and keep it in good condition. When leaks or other defects in a service line are discovered, the County may disconnect the

service line and/or require the property owner to repair or replace the service line as directed by the County. Except in cases of real emergency, however, the County shall give the customer notice of such deficiency and shall allow the customer reasonable time not to exceed ninety (90) days in which to have repairs made or other maintenance work accomplished.

**408 - Sanitary Sewer Connections, Fees and Deposits:**

*408.01* The owner or builder of any structure which requires sanitary sewer service shall deposit with the County an amount as established by Resolution of the Fairfield County Board of Commissioners. The deposit shall be administered as described on the Water and Wastewater Fee Schedule. Any person, owner or building not complying with these Regulations County Specifications and Standards, will result in the loss of the deposit and/or other penalties allowed by these Regulations.

*408.02* The owner of any lot or plot of ground which is required by law or who wishes to connect into the sanitary system of the County, shall first pay a connection fee as established by the Fairfield County Board of Commissioners based on the water meter size from the Wastewater Fee Schedule on the website. Services without public water will be based on the average flow rate as determined by the Director of Utilities.

*408.04* All pretreatment or other extra costs as required to comply with these regulations are in addition to the connection fee.

*408.05* Any applicant whose property does not abut an existing sanitary sewer shall, at his own expense, construct trunk or lateral sanitary sewers as required to connect to the County's sewage system. Upon completion of the sanitary sewer facility to the satisfaction of the County, the facilities within dedicated rights-of-way shall become the property of the County and be subject to all rules and regulations hereunder.

*408.06* In any area where no sanitary sewer facilities of any kind exist, an applicant or person may contract with the County for the construction of such facilities.

*408.07* The applicant shall be responsible for construction of all extended sanitary sewer lines and appurtenances necessary to connect to the County's sewage system, whether those lines and appurtenances are within the jurisdiction of the County or other governing party. The applicant shall bear all costs of such construction, including meters, easements, engineering, and other associated costs. The County shall have the right to require sanitary sewer lines and equipment in excess of the size needed to serve the applicant's area provided, however,

that the County reimburse the applicant for the difference in cost between the size sufficient to serve the applicants' tract of land and the area adjacent in which the County wishes to serve in the future. The materials and/or equipment used during the construction shall conform to the applicable ASTM specifications as directed by the County. All sanitary sewers and equipment shall be inspected and approved by the County after installation, but before covering with backfill.

**409 - Water Connection (Tap):**

*409.01* The owner of any lot or plot of ground who wishes to connect to a County water system shall first pay a connection fee and meter fee as established by Resolution of the Fairfield County Board of Commissioners.

*409.02* When a service line is used for fire protection only, the water connection fees shall be reduced as stated in the Water and Wastewater Fee Schedule adopted by the Fairfield County Board of Commissioners in force on the date the fee is due. For non-residential developments the service line for fire protection shall be separate from other service lines. There shall not be any connection between a fire protection system and water system for domestic use.

Master meters for a private water system shall only have one service to provide both fire protection and domestic water.

*409.03* When a meter, larger than a 2" meter, is to be installed between the County water system and a water system which is owned and operated by a public utility or local government, hereafter called a "master meter", the connection fees for such a master meter shall be as stated in the Water and Wastewater Fee Schedule (plus the actual cost of the meter) adopted by the Fairfield County Board of Commissioners in force on the date the fee is due.

**410 - Miscellaneous Charges:**

Fees and costs are charged to contractors, builders, and customers for special services provided by the County. The County will maintain a current list of Miscellaneous Charges and Equipment Charges to be available to contractors, builders and customers when requested.

**411 - Water System Line Charge:**

Anyone desiring to extend, connect, tap or make a service connection to any of the waterlines listed on the fee schedule shall pay the "Line Charge", in addition to all other fees and charges, established by the Fairfield County Board of Commissioners, for that waterline. The Line Charge is meant to defray the project cost of water main installation for any property which did



not participate previously in the cost of said water mains. The calculation of the charge shall take into consideration the differential in cost incurred by a property owner for the installation of the service line from the water main to the property line depending on the proximity of the property to the location of the water main. This differential reflects the condition where a water line is installed on either side of a paved road thereby being in close proximity to one property while being a much greater distance from the property on the far side of the road. The intent of recognizing this difference is to achieve equity to the greatest extent possible such that each property will incur the same out of pocket expense in paying their fair share of the water main project cost including their cost of service line installation.

*411.01* The Line Charges for main water lines installed previously by the County, excluding those water lines in subdivisions whereby an entire system was installed by the developer, shall be calculated using the following formula, with adjustments made each year for interest charges.

$$x + (x + a) = 100y$$

Where:  $x$  = Line Charge for the far side property proximity

$a$  = the differential in cost of service line installation

$y$  = the County's water main project cost

$(x+a)$  = Line Charge for the near side property proximity

The Line Charges for both far side and near side shall be increased each year, by the percentage indicated in the Water and Wastewater Fee Schedule, to reimburse the Utilities Department for interest charges on the initial project costs.

*411.02* The Line Charges for water lines within subdivisions whereby an entire water system was installed by the County specifically to serve establishments within that subdivision shall be calculated separately for each subdivision. The Line Charges shall be calculated by dividing the total project cost of the entire water system in that subdivision by the number of occupiable units within that subdivision that can receive service from the new water system. The formula to be used shall be as follows:

$$x = y / n$$

Where  $x$  = the Line Charge for each unit that can receive service

$y$  = the County's water system project cost

n = the number of occupiable units that can receive service from the new water system

Since the project costs of the water system and number of occupiable units will be different for each subdivision, the Line Charges will also be different for each subdivision. The Line Charges shall be increased 5% per year, or by the percentage indicated in Water and Wastewater Fee Schedule, to reimburse the Utilities Department for interest charges on the initial project costs.

The County Utilities Department Shall collect all appropriate fees and line charges at the time a Connection Permit is applied for and shall not issue such permit until all fees are paid in full. Placement of Line Charges on the property tax duplicate, if permitted by the County Resolution for a specific user, shall be considered to be paid in full.

**412 - Installation of Water Meters:**

The County will provide all water meters and remote units upon payment of the connection fee (and applicable meter fee) and satisfactory installation of the service line. All meter installations shall be inspected and approved by the County, prior to turning on the water. The meter installation shall conform to the standard drawings of the County. At least a forty-eight (48) hours (not including weekends or County holidays) notice shall be given to the County for meter inspections.

**413 - Temporary Water Service:**

*413.01* When temporary water service is requested for any purpose, the County shall prepare an estimate of the cost of installing and removing the facilities required for such service and the applicant for the service shall deposit with the County the amount of such estimate. When such temporary service is no longer desired and is discontinued, all facilities not thereafter usable shall be removed and the actual installation and removal cost shall be determined. The customer shall then be reimbursed for the amount of the deposit less the “actual” cost determined as above. During the period of the temporary service, the customer shall also be liable for all damages, service charges and usage charges calculated in accordance with this Chapter.

*413.02* Appropriate fees, as stated in the Water/Wastewater Fee Schedule adopted by Resolution of the Fairfield County Board of Commissioners, shall be paid for using a hydrant meter or installing a meter on a service line for temporary use by a contractor during the construction

of buildings. The meter shall be returned to the County every month in service to measure usage.

*413.03* The contractor shall provide adequate support for the meter in a protected place. Failure of the contractor to provide proper care for the meter or misuse of or damage to the meter may constitute grounds for removal of the meter and terminating the temporary service. Fees shall be charged to cover the cost of all water used, meter repairs, and meter replacements in accordance with the Fairfield County User Charges.

*413.04* Hydrant Meter shall only be used for watering newly sodded lawns, for filling swimming pools, and for building construction. In the event the Utilities Department personnel or the Fairfield County Sheriff's Department discover anyone except authorized personnel or safety forces using an unmetered hydrant, the hydrant shall be shut off and all equipment confiscated, to be returned only when the user pays a fine for unauthorized access to a public water system plus estimated water usage at the current water rate, as determined by the Director.

**414 - Inspection:**

*414.01* All connections to a County system and the installation of all service lines shall be inspected by the County. Failure to comply with any of the permit conditions or installation requirements shall be caused for denial of service to the applicant and/or loss of the tap deposit.

*414.02* The connection fees includes the cost of an initial inspection and one repeat inspection of four (4) hours total duration by the County for each permit issued. Should more than the initial and one repeat inspection or more than four hours of total inspection time be required because of failure of the owner, his contractor or authorized representative to install, maintain, repair, alter, or perform other work necessary to install the connection and service line in accordance with these Regulations, additional fees as established by Resolution shall be charged for the time required to insure compliance with these Regulations. Such additional fees shall be paid prior to the final approval of the service line for which the permit was issued.

*414.03* The County shall be given seventy two (72) hours notice (not including weekends or County holidays) when an inspection is required.

*414.04* There shall be a final inspection of the interior plumbing prior to the enclosure of the plumbing or installation of the meter.

*414.05* In the event water and/or sanitary sewer inspection is scheduled with the Customer and the Customer fails to show for the scheduled inspection, a fee will be charged to the Customer in accordance with the Fairfield County User Charges.

*414.06* Following the inspection of the water service line install, water service will be shut off at the curb stop and the curb box staked by the builder until service is required by the builder or homeowner. Sanitary sewer charges will begin not more than 60 days after the sewer service connection is fully inspected and approved.

**415 - Repair of Service Lines:**

The owner of any lot or plot of ground which has a service line that has been tapped or connected to a County system but which requires maintenance, repair, alteration, testing, cleaning, or other work to either eliminate the service line or to cause the service line to conform to these Regulations, shall perform or cause the performance of the necessary work at their cost. Prior to any work being performed, the Owner or his authorized representative shall give seventy two (72) hours (not including weekends or County holidays) notice to the County to allow for proper inspections.

**416 - Service Charges:**

*416.01* The owner of the property which is served by either the County Water or Sanitary Sewer System or both Systems shall be liable for all charges for the service rendered to that property.

*416.02* The Fairfield County Board of Commissioners shall establish the rate of service charges for water service. Charges for water service shall be based on meter readings and begin on the date the water meter is set.

*416.03* The Fairfield County Board of Commissioners shall establish the rate of service charges for sanitary sewer service. When public water service is provided, sanitary sewer service charges become effective on the date the water meter is set. If public water service is not available, the sanitary sewer service charges shall become effective not more than sixty (60) days after the final inspection of the sanitary sewer service.

*416.04* The sanitary sewer service charge shall be based on the unmetered rates established by Resolution of the Fairfield County Board of Commissioners unless required otherwise as stated herein.

*416.05* The sanitary sewer service charge for any property shall be based on metered water usage. Master meter customer's sanitary service charges shall be based on metered water usage.

*416.06* If a non-residential establishment does not have County Water Service, a sanitary sewer meter may be required by the County at the owner's expense. The sanitary sewer meter and its installation shall be approved by the County prior to its use for determining the amount of sanitary sewer service charge owed the County for non-residential users. If County Water Service is being utilized, the sanitary sewer service charge will be calculated based on water usage

*416.07* Regardless of the method used to determine the sanitary sewer service charge, the sanitary sewer service charge shall be increased in proportion to the amount the sanitary sewage concentrations exceed 200 ppm BOD<sub>5</sub> and 200 ppm Suspended Solids as set forth in Section 215.11.

*416.08* When previously unknown connections to sanitary sewer system not on the billing register are discovered, the property owner shall be notified and immediately added to the billing register. The owner's billing shall begin for the last full quarter during which the discovery was made unless a valid written agreement is provided that states otherwise.

*416.09* Annual Review of User Charges:

- A. Pursuant to EPA Regulations, the user charges shall be reviewed annually to accomplish the following purposes:
  - 1. To maintain the proportions distribution of operation, maintenance, and replacement costs among users and user classes; and
  - 2. To generate sufficient revenue to pay the total operation, maintenance, replacement, capital, and working capital costs of the sewage system.
- B. The annual review of the user charges shall be conducted by the Director or by a consulting engineer. A written report shall be prepared and submitted to the County Administrator as part of the budgeting process.
- C. In addition to the authority of the County Commissioners to increase or decrease rates on January 1<sup>st</sup> of each year, the Director may, at any time, increase or decrease rates if the Director determines a modification of the rates is required in order to comply with this regulation, any revenue bond resolution, or to adjust rates to reflect final costs.

D. Following the annual review, the Director shall publish any rate adjustments, and that portion of the sanitary sewer service charge over the past year which is attributable to operation, maintenance and replacement costs of the system and that portion related to debt service.

*416.10 Deduct Meter Usage:* If the customer installs an approved deduct meter, the charges for sanitary service will be calculated by subtracting the deduct meter from the main meter to the property. Deduct meter permit must be obtained prior to installation. The deduct meter fee shall be established by County Fee Schedule. Only one deduct meter will be allowed per account.

*416.11 Sod Watering Deduction:* A customer may request consideration for an abatement of sanitary sewer charges resulting from a temporary increase in my water consumption due to the establishment of a new lawn. The watering relief will be for 3 months only by adjusting the sewer charge after the bill is issued. An application must be completed and returned to Fairfield County Utilities for consideration.

*416.12 Bill Adjustment Bill Review Request:* A bill adjustment is a financial adjustment to charges on a customer's bill. The first step in the process is that customer notifies Fairfield County Utilities in writing of a request to adjust a bill. E-mail notification is acceptable. Adjustments are permitted for:

- **Billing Errors:** Examples of billing errors are mistakes due to meter failures, misreading of computer equipment, or other such data errors. Customers typically notice such data errors because the bill is unusual and there is no reasonable explanation for the usage being at the higher level.
- **Late Fees:** When payments cross in the mail or there are banking delays, staff is able to reduce or remove late fees as long as the late fees are not recurring. This adjustment is available once every two (2) years.
- **Leaks and Sanitary Sewer Adjustments (for water not entering the sanitary sewer system):** If there is an unexpected water consumption during a billing period due to leak in customer-owned plumbing or due to equipment malfunction, and if the water did not enter the sanitary sewer system, staff may adjust the sanitary sewer charge to an amount that is more typical of normal usage based on the average of the previous 12 months of billing. This adjustment is available

once every two (2) years and is limited to two (2) billing periods. Appropriate documentation of the leak or equipment malfunction, such as receipts for repairs, is needed.

- **Sanitary Sewer Adjustments** (for when clean water does enter the sanitary sewer system): If there is an equipment malfunction resulting in excessive water usage and clean water enters the sanitary sewer system, staff may adjust the sanitary sewer charges to 150% of the average of the previous 12 months of billing. This adjustment is available once every two (2) years and is limited to two (2) billing periods. Appropriate documentation of the equipment malfunction, such as receipts for repairs, is needed.

- **Extraordinary Situation:** On a case by case basis, staff may adjust bills for extraordinary situations not within the control of a customer, such as a natural disaster. This is a one-time adjustment and requires Director of Fairfield County Utilities approval.

While a request for an adjustment is being evaluated, the customer is responsible for payment of the entire amount due on their utility bills within the normal payment period.

Payment plans are available for any customer.

Timely and accurate payments are the responsibility of the customer. The Fairfield County Utilities Water and Sewer Regulations outline the expectations of payments and applicable collection activities and termination of service processes for delinquent accounts.

*416.13 Backflow Fee:* Fees were set based on Fairfield County Utilities was required to do an annual site visit to visually confirm the backflow prevention assembly was in place and the proper location to protect the public water system. The Fairfield County Utilities Department has determined that a survey and site visit within every three years is satisfactory for OEPA requirements.

#### **417 - Bill and Payment For Services; Remedies For Non-Payment:**

*417.01* All bills shall be due and payable on the date shown on the bill. When service to any premises is established on a date between billing dates, the bill shall be pro-rated between owners based on time of service.

*417.02* Bills will be mailed to the Owner at the address of the premises serviced unless the Owner requests, in writing on the appropriate County supplied forms, that they be sent to some other address specified by the Owner. Property owners are ultimately responsible for the payment of all water and sanitary sewer charges for the premises. Bills can be sent to the

renters of the premises only if designated by the Owner of the premises on a fully executed affidavit for Transfer of Billing Address form and as long as the renter inhabits the property.

417.03 The failure to receive a bill by mail shall not relieve the Owner of the obligation to pay the same and any applicable delinquency charges when due.

417.04 Bills unpaid after the date shown on the bill shall be considered delinquent and shall subject the premises to a 10% delinquency charge, discontinuance of service, and/or other remedies of law.

417.05 The Owner shall notify the County of any errors or discrepancies in the billing prior to the date the bill becomes delinquent. Failure to make such notification constitutes acceptance of the bill as mailed.

417.06 It is the Owner's ultimate responsibility for the payment of water and sanitary sewer bills of all tenants living in the Owner's property. All charges for service constitute a lien upon the premises charged therewith and if the charges are not paid by the due date, such charges shall be certified to the auditor of Fairfield County who shall place the charges with penalties and interest on the tax duplication which shall be collectible with the property taxes.

#### **418 - Returned Check:**

The following policy has been adopted for returned checks:

418.01 If payment for a regular bill is received in a timely manner and the customer has a good payment record, but payment is in the form of a bad check; the County will give the customer 30 days notice to make the check good. If payment is not made in that time period, service will be discontinued,

418.02 If payment for a disconnect (30 days already given) is in the form of a bad check; the County will give the customer 72 hours notice to make the check good. If payment is not made in that time period, service will be discontinued,

418.03 In any case, a fee of in accordance with the County Fee Schedule will be charged for all returned checks.

418.04 If the customer has previously had a bad check, 72 hours notice will be given for disconnection.

418.05 If payment for disconnect (30 days already given) is in the form of a bad check and there is a previous history of bad checks; 72 hours notice will be given for disconnect with the



advisory given that if payment is made in the form of a check, service will be discontinued until the check clears the bank and there will be a disconnect charge, as well as the returned check charge placed against the account.

418.06 If checks are returned for signatures, the penalty will be deleted from the account if the checks are returned in a timely manner and the customer does not have a history of sending in the check without a signature.

**419 - Change of Ownership, Liability of Unpaid Bills:**

When a property which receives either water or sanitary sewer service from the County changes ownership, the person who will become the new owner shall, within twenty-four (24) hours of change of ownership, notify the County of the change in ownership, receive the prorated billing amounts and make application for service on forms provided by the County. Failure to notify the County of the change in ownership within twenty-four (24) hours of the change in ownership will subject the new owner to be liable for all past due amounts for that property, having the property disconnected from the County System, and any other remedies allowed by law.

**420 - Restoring Service:**

Service shall be restored in accordance with **Section 110 - Restoring Service** of these Regulations.

**421 - Service Charges to Builders:**

Service charges for newly constructed homes shall be applicable under the following conditions:

- A. In the event both water and sanitary sewer services are required, the water and sewer charges will be based on meter readings. At the time the first homeowner takes possession and when notified by builder, the normal charges go into effect for the new owner.
- B. In the event of sanitary sewer service only, the sanitary sewer charge is the regular sewer rate and becomes effective no later than sixty (60) days after the final inspection of the sanitary sewer service, if the property is still in the name of the builder. Once the property is sold, the new owner is charged the full normal rate from that date forward. The sixty (60) day period is provided to allow a time lapse typically required from the sanitary sewer final inspection to the point the sanitary service would typically be utilized by the builder.

**422 - Annual Audit of Water and Sanitary Sewer Funds:**

The County Auditor shall prepare an annual audit of the Water Fund and Sewer Fund which will be submitted to the State Auditor as a part of “Report of Receipts and Expenditures” as required by Section 117.06 of the Ohio Revised Code.

**423 - Miscellaneous:**

423.01 Liberal Interpretation: Those Regulations shall be interpreted liberally to effectuate its broad remedial purpose of protection of the public health, safety and welfare. Absent a showing of actual abuse of discretion, the County’s interpretation of the regulation shall have a strong presumption of validity.

423.02 Grievances and Appeals:

- A. Any person aggrieved by a decision of the County under these regulations may file a written grievance with the County within fourteen (14) days of the County’s decisions. The written grievance shall set forth the substance of the County’s decision and the basis of the user’s complaint with all appropriate documents.
- B. The Director shall investigate the grievance and issue a written determination within thirty (30) days of receipt. The determination should include the following:
  - 1. Name, address, and location of the premises of the person;
  - 2. A summary of the person’s claim;
  - 3. A summary of the facts revealed by the County’s investigation;
  - 4. An interpretation of any applicable regulation, law, or policy;
  - 5. A notice of the person’s right of appeal to the County Administrator;
  - 6. A copy of the grievance and appeal procedure.
- C. Upon receipt of the written determination, the person may request an appeal hearing before the County Administrator in the presence of the Director
- D. Upon receipt of written determination, the person may request an appeal hearing before the Board of County Commissioner’s in the presence of the Director. The decision of the Board of County Commissioners shall be final.
- E. No legal action in the courts of the State or Federal government shall be initiated by any person until completion of this administrative remedy.

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**424 - 498 - Reserved:**

**499 - Penalty:**

Whoever violates any provision of this Chapter or County directive pursuant to this Chapter shall be subject to the remedies of **Section 199 - Penalty** of these Regulations.

**END OF CHAPTER**

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## **Chapter V - Water, and Sanitary Sewer Design Criteria**

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### **501 - Purpose:**

This chapter establishes the design criteria for water and sanitary sewer systems in Fairfield County, both public and private systems. In order to obtain approval of Fairfield County, the requirements of the Water and Sewer Regulations and the Construction and Material Specifications must be met, in addition to any other requirements listed herein. It shall be the policy of Fairfield County to disapprove of any water and sanitary sewer facilities for a property to be served by another entity, when the County has planned for or constructed services to the subject property or in the area of the property in the County Water and Sewer District, including areas subsequently annexed to a municipality.

Extension of public water or sewer utilities or dedication of public utility easements requires the review of the regional planning commission and shall follow the requirements of the major subdivision process.

### **502 - Reference Publications:**

The design of the components of the water, storm, and sanitary systems shall conform with the provisions of the most current edition of the following publications, except as such provisions are modified or amended herein. When there appears to be, or there is in fact, a conflict between the provisions of the referenced publications, the one providing the highest or most stringent requirements shall govern.

*502.01* Recommended Standards for Wastewater Facilities, Great Lakes Upper Mississippi River Board of State Public Health and Environmental Managers, most current edition.

*502.02* Recommended Standards for Water Works, Great Lakes Upper Mississippi River Board of State Public Health and Environmental Managers, most current edition.

*502.03* Ohio Environmental Protection Agency Regulations and Requirements.

*502.04* American Water Works Association Standards.

*502.05* Fairfield County Subdivision Regulations.

*502.06* Fairfield County Construction and Material Specifications.

*502.07* Fairfield County Standard Drawings.

### **503 - Definitions:**

The definitions of **Chapter I - General Provisions** shall be used in this chapter unless the context of any section of this Chapter specifically indicates that such definitions are not applicable.

**504 - General Requirements:**

*504.01 Easements:* In all subdivisions and developments with centralized sanitary sewer systems or currently proposed on-site wastewater treatment systems, sanitary sewer easements shall be required according to the following provisions:

- A. Separate Sanitary Sewer Easements, independent of other utility easements and drainage easements, are preferred. Easements shall be a minimum of 20 feet in width when located adjacent to a dedicated public road right-of-way and a minimum of 30 feet in width when not located along a public road right-of-way (e.g. side lot lines and back lot lines). The easements shall be labeled “20' Sanitary Sewer Easement” or “30' Sanitary Sewer Easement,” as appropriate. Easements greater than 30' may be required for deep or non-conforming sewers. No other utilities are permitted within these Sanitary Sewer Easements, unless approved by the County Sanitary Engineer.
- B. Sanitary Sewer Easements may be provided in conjunction with other utility easements, however, a larger width easement is required to allow for the construction, operation, maintenance, repair, replacement, or removal of sanitary sewers adjacent to other existing utilities. Easements, in this case, shall be a minimum of 30 feet in width when located adjacent to a dedicated public road right-of-way and a minimum of 40 feet in width when not located along a public road right-of-way (e.g. side lot lines and back lot lines). The easements shall be labeled “30' Utility and Sanitary Sewer Easement” or “40' Utility and Sanitary Sewer Easement”, as appropriate.
- C. Sanitary Sewer Easements may be provided in conjunction with other drainage easements, however, a larger width easement may be required to allow for the construction, operation, maintenance, repair, replacement, or removal of sanitary sewers without encroaching upon or disturbing the drainage structures and facilities. Easements, in this case, shall be a minimum of 30 feet in width larger than the required drainage easement. The easements shall be labeled “\_Drainage and Sanitary Sewer Easements” or the drainage and sanitary sewer easements can be shown and labeled separately adjacent to each other. No other utilities are permitted within Drainage and Sanitary Sewer Easements, unless approved by the County Sanitary Engineer and County Engineer.
- D. In no case shall any water, storm sewer, drainage or sanitary sewer easement be less than 20' in width unless approved otherwise by the County Sanitary Engineer.

- E. Notwithstanding the above, all easements and easement right-by-way combinations shall be wide enough to ensure that the easement limit is at least five feet away from all County utilities within the easement.
- F. No structures, trees, fences, or any other obstruction shall be placed in a designated easement area. The Owner of the property is responsible for the cost of removal of all obstructions, trees, bushes, etc, within designated easement areas.
- G. The Owner or Developer is required to perform the necessary surveys and prepare the easements in accordance with County Standards.

504.02 Preliminary Plan: A preliminary plan, prepared by either a registered professional surveyor and/or a registered professional engineer, as is appropriate, of the proposed subdivision shall be drawn at a scale of any one-tenth (1/10) portion of one hundred (100) feet to the inch and shall be on one or more sheets 18 x 24 or 24 x 36 in inches in size. All drawings, which are submitted as part of the preliminary plan, shall be drawn at the same scale. The preliminary plan shall contain the following information.

- A. Proposed name of the subdivision or project.
- B. Location by section, range, and township.
- C. A north point and bar scale of plan.
- D. The boundaries of the entire proposed subdivision or project shall be drawn in heavy continuous lines, including lengths and bearings with its acreage.
- E. Names of adjacent subdivisions and owners of adjoining parcels of unsubdivided land.
- F. Plan view layout for entire proposed subdivision or project.
- G. Location Map
- H. Locations, widths, and names of existing streets, railroad rights-of-way, easements, parks, permanent buildings, and corporation and township lines; location of wooded areas, wetlands, contours and other significant topographic and natural features within and for 200 feet adjacent to the tract being subdivided. In those cases where a proposed subdivision or project is located near provided showing the total upstream drainage area, based on USGS quadrangle data as a minimum.
- I. Wetlands, delineated in accordance with the federal and/or state agency with jurisdiction authority. The U.S. Army Corps of Engineers, Huntington District, is the agency with

jurisdiction authority over wetland area delineation and all delineations by the developer must be approved prior to approval of construction drawings.

- J. Existing sewer, water lines, gas lines, culverts, and other underground structures, and power transmission poles and lines, within and for 200 feet adjacent to the tract being developed.
- K. Existing contours at an interval of not greater than two (2) feet if the slope of the ground is five percent or less and not greater than five (5) feet where the slope is more than five (5) percent. Elevations are to be based on USGS datum. The engineer or surveyor shall certify or obtain a certification from others that the topographic data has been obtained from acceptable field or aerial methods. The date of the field work or of the aerial photography will be included in the certification.
- L. The location of the bench mark used to determine the contour lines.
- M. Sanitary Sewer Easements shall be provided for future centralized sanitary sewers in new subdivisions initially proposing individual on-site wastewater treatment systems. A preliminary gravity sanitary sewer layout, based on existing topography, shall be submitted as part of a preliminary plan for a subdivision.
- N. Approximate location, widths, and names of proposed streets and drainage easements. Street names shall not duplicate or be similar to the name of any other street in Fairfield County.
- O. Building setback lines with dimensions.
- P. Approximate location and dimensions of all proposed utility and sewer lines, showing their connections with the existing system.
- Q. Layout, temporary numbers, and approximate dimensions of each lot. When a lot is located on a curved street or when side lot lines are not at ninety (90) degree angles, the width at the setback line shall be shown.
- R. Parcels of land or areas to be reserved or donated for public use or to be reserved by covenant for residents of the subdivision.
- S. Names, addresses, and phone numbers of the owner, subdivider, and registered professional engineer and/or registered professional surveyor who prepared the plan.
- T. Soils types as designated in the latest Soil Survey of Fairfield County with soil descriptions of each map unit (USDA Natural Resources Conservation Service) must be



shown incorporated into the preliminary plan and to the scale of said plan. Assistance in interpretation may be obtained from the Fairfield Soil and Water Conservation District Office. The County Engineer's Township Aerial Maps shall not be used for obtaining soil information, due to inherent errors in the maps resulting from photographic distortions.

504.03 Design:

- A. The design for water and sanitary sewer lines shall use pipe strong enough, in conjunction with the specified beddings, to withstand the trench loading and line loadings imposed now or in the known future.
- B. The design of the water, storm, and sanitary systems, and their components, shall be based on generally accepted engineering practices which are compatible with the referenced publications and these Regulations. When required by the County, the engineer shall submit design calculation sheets.

504.04 Construction Drawings: shall be prepared in accordance with generally accepted practice for all sanitary sewers, waterlines, and storm sewers which are proposed to be owned or operated by Fairfield County, or constructed within the County outside of municipal boundaries by any public or private entity. The drawings shall be signed and sealed by a Professional Engineer, licensed in the State of Ohio.

- A. All drawings shall be made on reproducible material sized 24 inches by 36 inches, with a one-inch border on the left and one-half inch border around the balance of the sheet. The proposed work shall be shown in both plan and profile on the same sheet and in sufficient detail to clearly show all work to be done. The drawing shall also show existing and proposed right-of-ways, property lines and easements, as well as the existing or other proposed improvements to or features of, the land in the area of the improvement. In general, the horizontal scale shall be between one inch equals fifty feet and one inch equals twenty feet, and the vertical scale shall be one inch equals five feet or one inch equals ten feet, except when larger scales are necessary to show details or special work. The drawings shall contain general notes and a summary of estimated quantities. All drawings shall be produced in computer format ink and a title block shall be included in the lower right hand corner of each sheet except on the title sheet. Spaces shall be provided on the first sheet for the approval signatures of the Director of Utilities and other

appropriate County Officials, with approval dates. The water and sanitary sewer improvements may be included on the construction drawings for other improvements, provided that the construction drawings provide the information as required herein.

- B. All elevations shall be on USGS Datum and a complete description, location, and elevation of the Bench Mark used shall be shown on the plans. Identify at least two temporary bench marks on-site as well as permanent bench mark used.
- C. Existing utilities, buildings, driveways, and other details of all existing streets and sewers that are to be extended to the subdivision shall be shown for a distance of at least 150 feet from the point of entry into the subdivision, on the plan and profile.
- D. The general notes shall include a reference to the current edition of Fairfield County Water & Sewer Regulations, Construction and Material Specifications and applicable Standard Drawings.
- E. Supplemental specifications may be submitted as separate documents typewritten on eight and one-half inch by eleven inch paper or may be part of the construction drawings.
- F. The first sheet for all plans shall include a location map, a one inch equals 200 feet scale drawing of the development, the development title, required signature spaces, a standard drawing list, and an index.
- G. Two (2) sets of plans, construction drawings and specifications shall be submitted to the County Utilities Department for review and approval. Upon completion of construction, two-sets of as-built drawings and digital copies (pdf) of as-built drawings in AutoCADD format shall be furnished to the County Utilities Department.

**504.05 Site Plans and Utility Plans:** Site Plans and Utility Plans must be prepared, in addition to construction drawings, for all sanitary sewers, waterlines and storm sewers which will be publicly or privately owned and operated. The drawings shall be signed and sealed by a Professional Engineer, licensed in the State of Ohio. The site and utility plans shall conform to all requirements of Section 504.03. All plans, construction drawings and specifications shall be submitted to and approved by the County, prior to beginning any construction work.

**504.06 Grading Plan:** A grading plan shall be prepared for all developments covered under this Regulation. The Grading Plan may be combined with other plans, if such a combination is neat and the information easily readable. The Grading Plan shall show:

- A. The development title, sheet scale, north arrow, and location map unless it is made a part of the construction drawings. The scale shall be one inch equals fifty feet or a large scale.
- B. The floor elevations for first floor of proposed structures.
- C. The proposed elevations, slopes, and grade of the site improvements.

*504.07* When the proper County officials have affixed their signatures to the construction drawings, such drawings become the property of the County; however, the Owner shall cause the drawings to be corrected to conform to the “as built” conditions. Public water and sanitary sewer improvements will not be accepted by the County until reproducible “as built” construction drawings are delivered to the County together with two sets of prints and digital files (pdf) and in AutoCADD format.

*504.08* The “as built” drawings shall show changes in the construction as shown in the Contractor’s records and observed in the field. The “as built” drawings shall provide plan and profile of all watermains or sewers, dimensions to the water and sanitary sewer service connections in reference to the top of curb or two other two permanent landmarks, manholes, fire hydrants, water valves, or catch basins.

*504.09* Prior to the filing of any plat or deed of easement which contains an easement or right-of-way in which County owned water or sanitary sewer system components are to be or have been installed, said plat or deed of easement shall be accepted/approved by the County.

**505 - Sanitary Sewer Design:**

*505.01* Sanitary sewers shall be designed to maintain a minimum velocity of two (2) feet per second at the design flow, based on Manning’s formula using an “n” value of 0.013. The minimum pipe diameter shall be eight inches. Sanitary sewers may need to be larger than the minimums to be in conformance with the Master Plan of the County or to provide the necessary capacity. The minimum slope for eight inch sewers shall be 0.45% and for ten inch sewers shall be 0.32%. The minimum cover over the sanitary sewer pipe shall be four (4) feet. The sanitary sewer pipe shall be designed to flow half full at peak flows resulting from average daily flows as indicated on the Ohio Environmental Protection Agency’s “Wastewater Flow Guides” for specific development improvements. Peak flows shall be obtained by using diminishing conversion factors shown in Table 5.1 - Sanitary Sewer Conversion Chart.

**Table 5.1 - Sanitary Sewer Conversion Chart (Cubic Feet per Second)**

Average	Peak	Average	Peak	Average	Peak	Average	Peak	Average	Peak
0.00	0.00	0.72	2.49	1.44	4.90	2.22	7.26	3.00	9.30
0.02	0.06	0.74	2.56	1.46	4.97	2.24	7.32	3.10	9.54
0.04	0.13	0.76	2.62	1.48	5.03	2.26	7.38	3.20	9.78
0.06	0.20	0.78	2.69	1.50	5.09	2.28	7.43	3.30	10.10
0.08	0.26	0.80	2.76	1.56	5.28	2.34	7.60	3.60	10.68
0.10	0.33	0.82	2.84	1.60	5.40	2.36	7.64	3.70	10.89
0.12	0.40	0.84	2.90	1.62	5.46	2.40	7.75	3.80	11.10
0.14	0.46	0.86	2.98	1.64	5.52	2.42	7.80	4.00	11.51
0.16	0.53	0.88	3.04	1.66	5.58	2.44	7.85	4.20	12.00
0.18	0.60	0.90	3.11	1.68	5.64	2.46	7.91	4.40	12.50
0.20	0.67	0.92	3.18	1.70	5.70	2.48	7.96	4.60	13.00
0.22	0.73	0.94	3.24	1.72	5.76	2.50	8.01	4.80	13.50
0.24	0.80	0.96	3.31	1.74	5.82	2.52	8.06	5.00	14.00
0.26	0.87	0.98	3.33	1.76	5.89	2.54	8.12	5.20	14.40
0.28	0.94	1.00	3.38	1.78	5.95	2.56	8.18	5.40	14.80
0.30	1.00	1.02	3.51	1.80	6.01	2.58	8.23	5.60	15.20
0.32	1.07	1.04	3.58	1.82	6.07	2.60	8.28	5.80	15.60
0.34	1.14	1.06	3.65	1.84	6.13	2.62	8.34	6.00	16.00
0.36	1.22	1.08	3.72	1.86	6.19	2.64	8.40	6.20	16.40
0.38	1.29	1.10	3.79	1.88	6.25	2.66	8.45	6.40	16.80
0.40	1.36	1.12	3.85	1.90	6.31	2.68	8.51	6.60	17.20
0.42	1.43	1.14	3.92	1.92	6.37	2.70	8.56	6.80	17.60
0.44	1.50	1.16	3.99	1.94	6.43	2.72	8.60	7.00	18.00
0.46	1.57	1.18	4.06	1.96	6.49	2.74	8.65	7.20	18.40
0.48	1.64	1.20	4.12	1.98	6.56	2.76	8.70	7.40	18.80
0.50	1.71	1.22	4.18	2.00	6.61	2.78	8.74	7.60	19.20
0.52	1.79	1.24	4.25	2.02	6.67	2.80	8.80	7.80	19.50
0.54	1.86	1.26	4.31	2.04	6.73	2.82	8.85	8.00	19.90
0.56	1.93	1.28	4.38	2.06	6.79	2.84	8.90	8.20	20.20
0.58	2.00	1.30	4.44	2.08	6.85	2.86	8.95	8.40	20.50
0.60	2.07	1.32	4.51	2.10	6.91	2.88	9.00	8.60	20.80
0.62	2.14	1.34	4.58	2.12	6.97	2.90	9.05	8.80	21.20
0.64	2.21	1.36	4.64	2.14	7.03	2.92	9.10	9.00	21.50
0.66	2.28	1.38	4.71	2.16	7.09	2.94	9.15	9.20	21.80
0.68	2.35	1.40	4.78	2.18	7.14	2.96	9.20	9.40	22.10
0.70	2.42	1.42	4.84	2.20	7.20	2.98	9.25	9.60	22.50

Average	Peak	Average	Peak	Average	Peak	Average	Peak	Average	Peak
9.80	22.80	16.80	34.30	24.00	46.20	31.00	57.60	37.80	68.70
10.00	23.10	17.00	34.60	24.20	46.50	31.20	57.90	38.40	69.60
10.20	23.40	17.20	35.00	24.80	47.50	31.40	58.20	38.60	70.00
10.40	23.80	18.00	36.30	25.00	47.90	31.60	58.60	38.80	70.30
11.00	24.70	18.20	36.60	25.20	48.20	31.80	58.90	39.00	70.60
11.20	25.10	18.40	37.00	25.40	48.50	32.00	59.20	39.20	71.00
11.40	25.40	18.60	37.30	25.60	48.80	32.20	59.50	39.40	71.30
11.60	25.70	18.80	37.70	25.80	49.20	32.40	59.80	39.60	71.60
11.80	26.00	19.00	38.00	26.00	49.50	32.60	60.20	39.80	72.00
12.00	26.40	19.20	38.30	26.20	49.80	32.80	60.50	40.00	72.30
12.20	26.70	19.40	38.70	26.40	50.20	33.00	60.80	40.50	73.20
12.40	27.00	19.60	39.00	26.60	50.50	33.20	61.20	41.00	74.00
12.60	27.30	19.80	39.30	26.80	50.80	33.40	61.50	41.50	74.80
12.80	27.70	20.00	39.70	27.00	51.10	33.60	61.80	42.00	75.60
13.00	28.00	20.20	40.00	27.20	51.40	33.80	62.20	42.50	76.50
13.20	28.30	20.40	40.30	27.40	51.80	34.00	62.50	43.00	77.30
13.40	28.70	20.60	40.60	27.60	52.10	34.20	62.80	43.50	78.20
13.60	29.00	20.80	41.00	27.80	52.40	34.40	63.20	44.00	78.90
13.80	29.30	21.00	41.30	28.00	52.80	34.60	63.50	44.50	79.80
14.00	29.60	21.20	41.60	28.20	53.10	34.80	63.80	45.00	80.60
14.20	30.00	21.40	42.00	28.40	53.40	35.00	64.10	45.50	81.50
14.40	30.30	21.60	42.30	28.60	53.70	35.20	64.50	46.00	82.30
14.60	30.70	21.80	42.60	28.80	54.00	35.40	64.80	46.50	83.10
14.80	31.00	22.00	43.00	29.00	54.40	35.80	65.50	47.00	83.90
15.00	31.30	22.20	43.30	29.20	54.70	36.00	65.80	47.50	84.80
15.20	31.70	22.40	43.60	29.40	55.00	36.20	66.10	48.00	85.60
15.40	32.00	22.60	43.90	29.60	55.40	36.40	66.40	48.50	86.50
15.60	32.30	22.80	44.30	29.80	55.70	36.60	66.80	49.00	87.30
15.80	32.70	23.00	44.60	30.00	56.00	36.80	67.10	49.50	88.10
16.00	33.00	23.20	44.90	30.20	56.30	37.00	67.40		
16.20	33.30	23.40	45.20	30.40	56.60	37.20	67.70		
16.40	33.70	23.60	45.60	30.60	57.00	37.40	68.00		
16.60	34.00	23.80	45.90	30.80	57.30	37.60	68.40		

505.02 Wye Branches shall be installed during the construction of collection sanitary sewers. If the sanitary sewer is located in a street, service extensions shall be made to within one foot of the right-of-way lines. Where the sanitary sewer is more than twelve feet deep, risers shall be included as part of the construction work. Such risers shall be brought to a point not less than ten feet below the ground.

*505.03* Standard manholes shall be constructed at ends of all main sewers, at intersections of two or more sewers, at all changes in pipe size, grade, alignment, and at intervals not to exceed 400 feet. Manholes shall be precast concrete with construction conforming to ASTM C478 and joints between sections conforming to ASTM C443. Manholes shall be a minimum of 48 inches in diameter. Steps shall be provided and kept in line during assembly of precast sections. Where a manhole is too shallow to permit the use of a cone section, a precast flat slab top shall be used and conform to the requirements of ASTM C478. Inlet and outlet pipes shall be joined to the manhole with a gasketed flexible water tight connection. The type connection specified shall be clearly noted in the specifications and on the detailed drawings. The invert of the lowest pipe entering a manhole shall be at least 3 inches above the top of the base slab so that the sewer flow channel may be installed and shaped. The flow channel through manholes should be made to conform in shape, slope and smoothness to maintain the same velocity as that in the sewers. Cut pipe shall not extend beyond the inside face of the manhole wall. Concrete placed inside the manhole to form the channel through the manhole shall not be placed between the pipe and the opening so as they interfere in any way with the flexibility of the joint. The flow channel through each manhole shall be made to conform in shape, slope, and smoothness to that of the sewer. Drop manholes shall be avoidable by adjusting grade on the connecting sewer. Drop manholes may be used in deep sewers greater than 30' from the final grade surface. Drop manholes and one upstream and 2 downstream manholes shall be lined with approved system. Due to the unequal earth pressures that would result from the backfilling operation in the vicinity of the manhole, the entire outside drop connection shall be encased in concrete. Drop manholes shall be constructed with outside drop connection. Manhole shall be constructed to permit grade adjustments by use of cast-in-place or precast concrete adjusting collars not to exceed 6 inches in height.

*505.04* Standard manhole frames and covers shall be cast iron with a minimum 24 inch opening as defined in the Construction and Material Specifications. In areas subject to flooding, bolt-down solid manhole covers shall be used. In streets and other paved areas, all manhole covers shall be adjusted flush with the final wearing surface. In other areas, the manhole casting should be adjusted so that the top is slightly above finished grade (3" to 6") to prevent the entrance of surface water (positive drainage away from manhole shall be provided).

*505.05* Sanitary sewer service lines shall have a minimum internal diameter of six inches and be laid with a minimum fall of one fourth inch per linear foot, unless approved otherwise by the County. All joints and connections shall be gas-tight and water-tight.

*505.06* A 4" x 4" wye pole shall be placed at the end of each service line installed from the service connection to a point to stick out above the ground at least three (3) feet. The wye pole shall be painted Hunter Green.

*505.07* A separate and independent building sewer service connection shall be provided for every building. Old or existing sanitary sewer connections from the building to the main may not be used in connection with new buildings, unless they can be examined and tested to meet all requirements of these Regulations. Such existing sanitary sewer connections shall be tested in a like manner as used for public sewers to determine water tightness and the cost of such testing shall be borne by the Owner. A sanitary sewer connection shall also be provided for every existing building in the development or adjacent to the development as directed by the County.

*505.08* All building sanitary sewers shall be designed to serve the building below the basement floor and shall not be laid parallel to or within three (3) feet of any bearing wall, cellar, basement, or cistern nor shall they have less than three feet of earth or stone cover.

*505.09* The building sanitary sewer shall be laid at uniform grade in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings. Under no circumstance shall a 90° bend pipe fitting be installed on any public or private sanitary sewer line.

*505.10* The developer or builder shall at the time that basement footers or foundation footers are constructed, install the building sanitary sewer into the foundation. Floor drains and waste pipe drains shall be stubbed off, within the house, at a height of three feet from the ground level, measured within the basement or foundation, and shall be sealed with a water-tight cap or seal to the satisfaction of the County. No developer or builder, or any agent thereof, shall remove the cap or seal, or permit the entry of water or any liquid into the sanitary sewer prior to the completion of the building plumbing lines and the building is under roof. If the County determined that a sanitary sewer opening has not been capped or sealed or that the cap or seal had been removed or that water, liquids or other extraneous material has entered the sanitary

sewer, the holder of the permit shall be liable for a violation of this section and shall forfeit the sanitary sewer deposit.

*505.11* In all buildings in which any building drain is too low to permit gravity flow to the public sanitary sewer, sanitary sewage carried to such drain shall be lifted by approved artificial means and discharged to the building sanitary sewer. Only under extreme circumstances shall lift stations, grinder pumps or individual household wastewater disposal systems be permitted and only with the approval of the County Sanitary Engineer.

*505.12* All excavations required for the installation of a building sanitary sewer shall be open trench work unless otherwise approved by the County. Where the base of the trench is uneven or stony, a bedding of sand and/or gravel shall be used. No backfill shall be placed until the work has been inspected by an authorized representative of the County.

*505.13* All vents shall be constructed so as to prevent foreign objects from being introduced into the sanitary sewers. In order to protect the County's sanitary sewer system, the plumbing for all buildings to be connected to the system shall be installed in accordance with the minimum requirements of the Plumbing Code, and any applicable standards established by the State of Ohio. This requirement is primarily intended to apply to new building construction; however, the Director may require corrective work on the plumbing systems of any existing building where serious violations of accepted good practices in plumbing are observed. Such corrective action shall be completed prior to connection of the building sanitary sewer from the affected structure to the County sanitary sewer system.

*505.14* A means for rodding or examination of the building sanitary sewer, such as cleanouts, shall be provided immediately inside or outside of the point of entry to the building or if in the judgement of the Director other access is available, the same may be acceptable.

*505.15* No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sanitary sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

*505.16* Where the building sanitary sewer will cross unstable soil or close to a tree where roots may enter the joints, extra heavy ductile iron pipe or PVC may be required. Ductile iron pipe or PVC pipe, meeting waterline material specifications, shall be required when the building sanitary sewer is within ten feet of a water service line, well, spring, cistern or other sources of water supply.



505.17 The permit holder will be required to repair or restore any drains or service lines damaged or disturbed by the owner during the construction of the building water line or sanitary sewer.

**506 - Waterline Design:**

506.01 All waterlines and appurtenances shall be designed in accordance with the applicable standards of the American Water Works Association.

506.02 Waterlines shall be designed using a “C” factor of 140 or less. All waterlines shall be designed for fire protection meeting ISO requirements. For residential areas of the fire flow should be 1,000 gpm at 20 psi. For industrial and commercial areas, the fire flow should be a minimum of 200 gpm at 20 psi. The minimum size waterline with one fire hydrant shall be six inches and with two or more fire hydrants shall be eight inches. Waterline sizes may need to be larger than the minimums to be in conformance with the Master Plan sizes of the County or to provide the necessary fire flows. All other waterlines shall be no less than three inches. All waterlines shall have a minimum cover of four feet. A water service line shall be provided for each lot proposed in the development and for every existing building in the development or adjacent to the development, as directed by the County. The minimum water service line to any customer shall be 3/4 inch except where the calculated operating pressure is less than 50 psi. In that event, the minimum acceptable water service line size shall be 1 inch. Every dwelling or building must have a separate service line and water meter.

506.03 The maximum head loss permitted at the design velocity shall be five feet per thousand feet of pipe.

506.04 The minimum residual pressure at the design flow (fire and/or domestic flows as appropriate) at the highest inhabited floor of any building shall be 30 psi. Fairfield County’s goal is to provide 50 psi of water pressure to all customers. All water mains, including those not designed for fire protection, shall be sized after a hydraulic analysis based on flow demands and pressure requirements. The system shall be designed to maintain a minimum pressure of 20 psi (140 kPa) at ground level at all points in the distribution system under all flow conditions. The normal working pressure in the distribution system should be approximately 60 to 80 psi (410 - 550 kPa) but not less than 35 psi (240 kPa). Buildings with expected pressures greater than 80 psi should be provided with a pressure regulating valve to allow the pressure to be set to the 60 to 80 psi range.

506.05 Fire hydrants shall be spaced so that any point of an inhabited building can be reached by less than 300 feet of fire hose from the first hydrant and 500 feet of hose from the second hydrant. Generally, fire hydrants shall be located on lot lines or property lines, and hydrant spacing shall range from 300 to 400 feet depending on the area being served. All fire hydrants shall conform to the Fairfield County Standard Drawings. Water mains not designed to carry fire-flows shall not have hydrants connected to them.

506.06 Any departure from minimum requirements or standards herein shall be justified by hydraulic analysis, engineering calculations and estimated future use, and will be considered only in special circumstances.

506.07 Dead-Ends

- A. In order to provide increased reliability of service and reduce head loss, dead ends shall be minimized by making appropriate tie-ins whenever practical as directed by the County.
- B. Where dead-end mains occur, they shall be provided with a fire hydrant if flow and pressure are sufficient or with an approved flushing hydrant if fire hydrant pressures are not sufficient. Flushing devices should be sized to provide flows which will give a velocity of at least 2.5 feet per second in the water main being flushed. No flushing device shall be directly connected to any sanitary sewer.

506.08 Sufficient valves shall be provided on water mains so that inconvenience and sanitary hazards will be minimized during repairs. Valves shall be placed outside of pavement wherever practical. Valves should be located at not more than 500 foot intervals in commercial districts and at not more than one block or 1000 foot intervals in other districts. Where systems serve widely scattered customers and where future development may be expected, the valve spacing should not exceed 1,500 feet. In general, two valves shall be installed at every main line tee, and three valves shall be placed at every main line cross.

506.09 Water mains shall be laid at least 10 feet horizontally from any existing or proposed sanitary sewer or force main. The distance shall be measured edge to edge. In cases where it is not practical to maintain a 10-foot separation, the County may allow deviation on a case-by-case basis as approved by the County Sanitary Engineer, provided that the bottom of the water main is at least 18 inches above the top of the sewer.

506.10 Water mains crossing sewers shall be laid to provide a minimum vertical distance of 18 inches between the outside of the water main and the outside of the sewer. This shall be the

case where the water main is either above or below the sewer. At crossings, one full length of water pipe should be located so both joints will be as far from the sewer as possible. Special structural support for the water and sewer pipes may be required. At all crossings of water mains and other utilities, compacted granular material is required between the deeper and shallower pipe.

*506.11* At high points in water mains 12-inch diameter and larger where air can accumulate, provisions shall be made to remove the air by means of hydrants or manual air relief valves.

*506.12* All tees, bends, plugs, and hydrants shall be provided with reaction blocking, 304 s.s. tie rods, bolts and nuts, etc, or joints designed to prevent movement.

**509 - 598 - Reserved:**

**599 - Penalty:**

Whoever violates any provision of this Chapter or County directives pursuant to this Chapter shall be subject to the remedies of **Section 199 - Penalty** of these Regulations.

**END OF CHAPTER**

## **Chapter VI – Water and Sanitary Sewer Construction Procedures**

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### **601 - Purpose:**

This Chapter establishes the procedures to be followed during the construction of water and sanitary sewer systems in Fairfield County, both public and private systems.

### **602 - Governing Regulations:**

Where there appears to be, or there is in fact, a conflict between this chapter and **Chapter I - General Provisions**, the chapter providing the more stringent requirement, standard, or procedure shall govern.

### **603 - Definitions:**

The definitions of **Chapter I - General Provisions** shall be used in this chapter unless the context of any section of this Chapter specifically indicates that such definitions are not applicable.

### **604 - Procedures:**

All portions of water or sanitary sewer systems in the Fairfield County Water and Sewer District, whether public or private, shall be designed and constructed in accordance with the requirements of Fairfield County in force on the date of the beginning of construction as such requirements are stipulated in the following:

*604.01* Fairfield County Water and Sewer Regulations.

*604.02* Fairfield County Construction and Material Specifications.

*604.03* Fairfield County Standard Drawings.

*604.04* Construction Drawings approved by the appropriate County officials.

*604.05* Ohio Environmental Protection Agency (OEPA) Requirements.

### **605 - Plan Approval:**

Prior to any construction beginning on any public or private water or sanitary sewer system in the County, construction drawings shall be prepared in accordance with these Regulations, the Construction and Material Specifications, Standard Drawings, and Ohio EPA requirements. Construction drawings shall be approved by the County and Ohio EPA prior to the start of construction. Failure to obtain the approval of Fairfield County and Ohio EPA prior to beginning construction shall cause the construction so performed to be rejected by the County, and shall be subject to an injunction to stop all construction until all of the proper approvals have been obtained.

**606 - Inspection:**

*606.01 Private and County Owned Systems:* The construction of all water, drainage and sanitary sewer systems, public and private, in the Fairfield County Water and Sewer District, including those that are, may or will be owned or operated by Fairfield County, shall be inspected as described in the Fairfield County Subdivision Regulations, **Chapter I - General Provisions** of the Fairfield County Construction and Material Specifications, and in Sections 6103 and 6117 of the Ohio Revised Code, as applicable. All fees for inspection shall be paid by the entity, developer or owner of the development in accordance with the Fairfield County Subdivision Regulations and Sections 6103 and 6117 of the Ohio Revised Code.

*606.02 Connection to County Systems:* The construction of all connections to systems in the Fairfield County Water and Sewer District, including those that are, may or will be owned or operated by Fairfield County shall be inspected as described in Section 414 of these Regulations. All fees for inspection shall be paid by the entity, developer or owner of the development in accordance with the Fairfield County Subdivision Regulations and Sections 6103 and 6117 of the Ohio Revised Code. The County reserves the right to use any commonly used standard method of testing to determine the suitability of materials proposed for incorporation into the Work or to determine acceptance of construction methods or finished construction.

**607 - Plan Review and Inspection Fees:**

Prior to submitting construction drawings for review, a plan review fee shall be deposited with the County. Prior to beginning any construction, an inspection fee shall be deposited to cover the cost of the inspection described in Section 606.01. The fees shall be paid by depositing an amount estimated to be sufficient to cover the cost to the County of plan review, administration, inspection, testing, recording the construction on County records, and costs incidental thereto. For construction that is part of a project which falls under the requirements of the “Fairfield County Subdivision Regulations”, the fees shall be as stated in the Fairfield County Subdivision Regulations. The fee for all other construction shall be based on a detailed estimate of construction costs as approved by the County and be paid as follows:

*607.01 Plan Review Fee -* An initial deposit of one percent (1%) of the estimated cost of construction, but not less than six hundred dollars (\$600.00).

607.02 Inspection Fee - An initial deposit of five percent (5%) of the estimated cost of construction.

607.03 Additional deposits shall be required as needed to cover all costs of inspections, reviews, testing, and other incidental costs to the County.

**608 - Notification of the County:**

608.01 The County shall be notified seventy-two (72) hours, excluding weekends and holidays, prior to when construction work is scheduled to begin. Throughout the duration of construction, the County shall be kept informed of the construction schedule. Any breaks in the construction work which are longer than seven (7) calendar days shall require seventy-two (72) hours additional notice, excluding weekends and holidays. Construction will not be permitted on weekends or County holidays unless approved by the County a minimum of seventy-two (72) hours prior notice.

608.02 Upon receipt of the initial notice of when construction is to begin, the developer shall submit to the County what remains to be done before construction starts. The County will approve or amend the items remaining prior to giving permission to begin construction. No construction shall begin without approval of the County.

**609 - Official Notices:**

All official notices to be sent to the County shall be sent to the Fairfield County Regional Planning Commission (for projects under RPC regulations) and copies to the County Engineer's Office and County Utilities Department. The County will send all notices to the last known address of the developer or owner who initially contacted the County concerning the proposed construction, unless notified in writing to do otherwise.

**610 - Obligations of the Owner, Construction Guarantees, Violations or Provisions:**

In consideration of the approval of the Construction Plans, the Owner of the parcel or tract of land being developed shall be subject to the following:

610.01 The Owner shall hold the County and its employees and agents free and harmless from any and all claims which might originate by virtue of the development of the subject land or the

conduct of the Owner, its agents or employees relative to said development including, but not limited to, any and all claims for damages of every nature whatsoever or for injunctive relief emanating from the construction and improvements or resulting from the construction and

improvements of said developed area; and the Owner shall defend, at his own cost and expense, any suit or action brought against the County or its employees or agents by reason thereof excluding, however, any such liability that might result from the sole negligence of the County or its employees or agents. The Owner acknowledges that Owner and its agents or employees are knowledgeable developers who will utilize said knowledge and skill in developing the subject land and though conforming to County requirements, Owner is relying solely on his expertise or the expertise of his agent in developing the subject premises; and the Owner is not relying on any skill or expertise of the County, its agents or employees in preparing the developed area in accordance with sound engineering and development practices.

*610.02* Upon filing of the plat or easements for the improvements, the construction of these improvements shall be guaranteed by filing with the County, evidence satisfactory to the County, one of the following:

- A. A Performance Bond equal to one hundred percent (100%) of the estimated construction cost of the improvements, with the provision that the bond proceeds shall be used to cover the cost of contractors, subcontractors, materialmen, laborers, and other costs to the County to complete the project upon default by the Owner, without time limit;
- B. A Certified Check equal to one hundred percent (100%) of the estimated construction cost of the improvements;
- C. Subject to the approval of the County, a Certificate of Deposit or an irrevocable Letter of Credit made out to the County, equal to one hundred percent (100%) of the estimated construction cost of the improvements.

All security shall be in favor of Fairfield County who shall have sole control of disbursement. Provisions shall be made in the case of a bond, certified check, Certificate of Deposit, or Letter of Credit whereby the Owner, his heirs, successors, or agents shall complete and comply with all applicable terms, conditions, provisions, and requirements of these regulations.

*610.03* If the guarantee of installing the required improvements of a plat has been made in the form of a bond, certified check, or other guarantee, the time limit for the completion of said improvements shall be two (2) years, said time period may be extended by the County when conditions warrant. At the termination of the aforementioned period, the County may use as much of the bond, check, or other guarantee, as is necessary to complete the improvements.

*610.04* All permits and approvals shall be obtained and all fees and deposits paid at the time of permit issuance.

*610.05* During construction and prior to acceptance of any improvement, the Owner shall remove or cause to be removed such dirt, debris and foreign matter from all public rights-of-way, improvements and/or easements as were deposited, left or resulted from the construction of improvements of any nature within twenty-four (24) hours after being notified by the County that such removal is required. Such removal shall be done to the satisfaction of the County.

*610.06* In addition to the required security, the County may require a restoration bond. Said bond shall be to insure repair of any damage done to existing curbs, gutters, water lines, sanitary sewer lines, sidewalks, driveways, street pavements, landscaping, or other items within the right-of-way, and damages as a result of a poorly executed erosion and sedimentation control plan. The amount of said bond shall be as determined by the Director based on his estimate of potential damage. Restoration bonds shall be released when all damaged facilities, if any, have been restored to the satisfaction of the Director.

*610.07* A Development Agreement shall be executed in such form on such terms and conditions as specified by the County. A sample Development Agreement is provided as Exhibit B to these Regulations.

**611 - Conditional Acceptance:**

Upon substantial completion of the construction as shown on the drawings, the County may conditionally accept the developed portion of the development constructed by the Owner or Developer. This acceptance is conditioned upon:

*611.01* The completion of all construction in accordance with these Regulations and the Fairfield County Material and Construction Specifications;

*611.02* The posting of a maintenance guarantee;

*611.03* The submission of two (2) sets of “as built” drawings and digital files of “as-built” drawings in AutoCADD format, annotated to reflect the “as-constructed”.

*611.04* All major components of the development being completed to the extent that does not present undue health or safety hazards to the current or potential users of the County System;  
and

*611.05* A guarantee being made in writing that is satisfactory to the County for the completion of the unfinished work. This guarantee is in addition to the maintenance guarantee as outlined in



**Section 612 - Maintenance Guarantee for Improvements.**

**612 - Maintenance Guarantee for Improvements:**

*612.01* The construction shall include all facilities needed to connect to the sanitary and/or water systems. The materials and/or equipment used during the construction shall conform to the applicable ASTM specifications as directed by the County.

*612.02* The Owner shall guarantee all improvements to the County Water and Sewer System for a period of at least three years up to five years from the date such improvements are conditionally accepted by the County. This guarantee shall include any and all defects and deficiencies in workmanship and materials. The Owner shall be responsible for the cost of all labor, materials, equipment and other incidentals required to maintain, repair and replace any or all of such improvements and to maintain them in good and proper condition. The Owner shall be responsible for filling trenches that have settled, restoration of lawn areas and repair of damaged sidewalk and roadways. In the event the Owner fails to make such maintenance, repairs or replacements within a reasonable time after notice in writing by the County or in the event of an emergency which may endanger life or property, the County may make or cause to be made, such repairs or replacements at the expense of such Owner. In order to indemnify the County for the expense of any such repairs or replacements made by or at the direction of the County, a guarantee shall be made by filing with the County, evidence satisfactory to the County, of the following in an amount equal to ten (10) percent of the cost of the improvements:

- A. A Maintenance Bond; or other guarantee acceptable to the County; or
- B. A Certified Check; or
- C. A Certificate of Deposit or an irrevocable Letter of Credit made out to the County.

*612.03* The Owner shall request in writing a release of the maintenance guarantee upon completion of the maintenance period during which the public improvements are maintained in a satisfactory condition and all expenses incurred by the County pursuant to the Project have been paid in full.

*612.04* The Maintenance Guarantee will be released upon final acceptance of the improvements by the County no sooner than three years up to five years from the date of Conditional Acceptance.

**613 - Final Acceptance:** Final acceptance shall be given after all the improvements in the development have been satisfactorily maintained, all defects or deficiencies have been corrected and all expenses incurred by the County pursuant to the development have been paid in full.

**614 - 698 - Reserved:**

**699 - Penalty:**

Whoever violates any provision of this Chapter or County directive pursuant to this Chapter shall be subject to:

*699.01* The remedies of **Section 199 - Penalty** of these Regulations.

*699.02* The County stopping all work in the development forthwith upon the County having posted a notice to stop work at the site of the improvements.

*699.03* The County continuing any unfinished work or replacing any unaccepted work to a point that the improvements do not appear to create a health or safety hazard or create maintenance or repair expense to the County because of their state of completion by:

- A. Holding the bonding company responsible for all actual expenses or the reimbursement of all expenses incurred, including engineering, legal and construction expenses, plus interest, from the date of default by the Owner and/or his Contractor, or
- B. Using the certified check, or proceeds thereof, or proceeds of the Certificate of Deposit or the Letter of Credit; any of which may have been accepted for the guarantee period.

*699.04* The County not accepting the improvements.

*699.05* The County refusing to provide water and/or sanitary sewer services which requires the use of the improvements which are found to violate this Chapter.

*699.06* The County taking the necessary actions to eliminate apparent or actual safety or health hazards when notification of the Owner does not cause a timely and satisfactory response or immediate action is required. The cost of using County labor, material or equipment shall be a cost to the Owner to be paid within thirty (30) days after being billed.

**END OF CHAPTER**

## **Chapter VII - Contractor's License, Contractor's Insurance and Indemnification**

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### **701 - Purpose:**

To regulate the installation of the water and sanitary sewer service lines and their connection into the County water and sanitary sewer systems.

### **702 - Governing Regulations:**

Where there appears to be, or there is in fact, a conflict between this chapter and **Chapter I - General Provisions**, the chapter providing the more stringent requirement, standard, or procedure shall govern.

### **703 - Definitions:**

The definitions of **Chapter I - General Provisions** shall be used in this chapter unless the context of any section of this chapter specifically indicates that such definitions are not applicable.

### **704 - License Required:**

Any person, business or corporation which desires to install, maintain or repair water or sanitary sewer service lines or make connections to the County water or sanitary sewer system must be first licensed by the County. Said license shall permit only the licensee to perform said activities, and said person, business or corporation that has been so licensed shall be responsible for all work performed pursuant thereto. The licenses issued to corporations shall list a member, employee or officer of that corporation who is the responsible representative of that licensee for all work performed. It shall be the responsibility of the licensee to notify the County in the event that the identity of any such representative is changed.

### **705 - Criteria for Granting License:**

The license shall be given to any person, business or corporation who has completed an application form provided by the County paid all required application and license fees, and has otherwise given the County information from which it can be concluded that the applicant can perform the work in accordance with these Regulations.

Any plumber wishing to obtain permission to make connections or attachments to the service pipes of the water and sanitary sewer works, shall before receiving a license permit to do so, state his willingness, and agree to be governed by all and singular, the rules and regulations of said County as adopted and passed by the County Commissioners, and be subject to all rules, penalties and condition heretofore or that maybe thereafter adopted for the government of the County.

Further, in order to obtain a license, Contractors must first comply with the requirements of

**Section 706 - Contractor’s Insurance** of these Regulations. Homeowner’s desiring to install water or sanitary sewer service lines at their own principal place of residence shall be exempt from **Section 706 - Contractor’s Insurance**.

**706 - Contractor’s Insurance:**

The Contractor shall present to the County at the time of applying for a license a certificate of insurance as required herein and a license shall not be issued until said certification has been received by the County. It is the Contractor’s responsibility to obtain such certificates as are required herein for all work performed by Subcontractors of the Contractor prior to the time that said Subcontractors commence work. Such certificate must be accompanied by a statement that at least ten (10) days prior notice shall be furnished to the County if the policies of insurance referenced in the certificates are to be terminated or changed in any way while Contractor’s license is in effect.

**706.01 Compensation Insurance:** The Contractor and/or Subcontractor shall maintain in full force and effect all necessary Worker’s Compensation Insurance coverage for all of their employees employed within the County in compliance with Ohio law.

**706.02 Contractor’s Liability Insurance:** The Contractor agrees to maintain Comprehensive General and Automobile Liability Insurance covering all operations directly or indirectly incident to any work covered by the license issued by the County whether such operations be by himself or by any subcontractor or by anyone directly or indirectly employed by either of them. Such insurance coverage shall be maintained while the license is in effect, with such coverage as specified herein. Such Comprehensive General and Automobile Liability Insurance shall include coverage for:

- A. Claims arising after the Contractor and Subcontractors have completed their work (completed operations and products liability coverage);
- B. Claims for property damage and personal injury arising from excavation or tunneling operations;
- C. Claims for property damage and personal injury arising from operations directly or indirectly incident to moving, shoring, underpinning, scaffolding, hoisting, razing, blasting or demolition of any building or structure;
- D. Claims for property damage to any property below, on or above the surface of the ground, and off-site property;

- E. Claims for property damage or personal injury arising from operations directly or indirectly incident to welding, cutting, sandblasting, grinding, use of other abrasive materials, or painting, however caused;
- F. Claims for property damage or personal injury arising from operations directly or indirectly incident to blasting or explosions, however caused;
- G. If watercraft and/or aircraft are used, claims arising from their use or operation, however caused;
- H. Claims arising from the liability assumed by the Contractor under this Contract including third party beneficiary liability coverage.

The limits of liability of the insurance required herein shall not be less than One Million Dollars (\$1,000,000) inclusive for each person, each occurrence for bodily injury and each occurrence for property damage.

**706.03 Owner’s Protective Liability Insurance:** The Contractor agrees to provide an Owner’s Protective Liability Insurance policy naming the County as insured, and covering the conditions outlined in 706.02, and with the same limits of liability described therein. In lieu of this requirement, the Contractor shall name the Owner and the County as insured in his Comprehensive, General and Automotive Liability policy, or Umbrella Excess Liability Insurance with the same limits of liability described in 706.02.

**706.04 All Risk Builder’s Insurance:** Further, the Contractor shall procure and maintain during the term of his license All Risk Builder’s Insurance (Fire and Extended Coverage) on a 100 percent (100%) completed value basis on the insurable portion of the Project. The County shall be named Insured thereof.

**706.05 Accident Prevention:** Further, as consideration for obtaining a license, Contractor warrants and agrees that he shall be responsible for initiating, maintaining and supervising all safety precautions and programs in connection with the Project. The Contractor shall take all necessary precaution to prevent damage, injury or loss to:

- A. All employees of the work covered by the license and all other persons who may be affected thereby; and

- B. All the work and all materials and equipment to be incorporated herein, whether in storage on or off the site, and
- C. Other property at the site or adjacent thereto, including trees, shrubs, lawns, walks, pavements, roadways, structures and utilities not designated for removal, relocation or replacement in the course of construction; and
- D. All persons falling into, climbing upon, or entering any of the excavations, equipment, or work areas, where the contractor has not taken special care during the entire duration of the work.

The Contractor shall comply with all applicable laws, ordinances, rules, regulations and orders of any public authority having jurisdiction for the safety of persons or property or to protect them from damage, injury or loss.

**706.06 Indemnity Provision:** Further, as consideration for obtaining a license, Contractor warrants and agrees that he shall indemnify and hold harmless the County and its agents and employees from and against all claims, damages, losses, costs and expenses, including attorney fees, arising out of, or resulting from performance of any work performed by the Contractor, Subcontractor, or any agent, assign or employee of the Contractor or Subcontractor, provided that any such claim, damage, loss or expense;

- A. Is attributable to bodily injury, sickness, disease, death, or injury to or destruction of tangible property (other than the work itself) including the loss of use resulting therefrom; and/or
- B. Is caused wholly or in part by the negligent acts, errors or omissions of the Contractor, Subcontractor, its agents, assigns or employees, or anyone directly or indirectly employed by either the Contractor or Subcontractor, regardless of whether or not the loss is caused by the County. Further, as consideration for obtaining a license, Contractor warrants and agrees that he is skilled and experienced in the use and interpretation of the County rules, regulations and requirements, has carefully reviewed the County rules, regulations and requirements for the work covered by the license issued by the County and has found them to be free of ambiguities and sufficient for the purpose of completing the work. Further, he has carefully examined the work site, and from his own observations, has satisfied himself as to the nature and location of the work; the character, quality and quantity of the materials; the difficulties likely to be encountered; and any other items that may affect the execution of the work. Additionally, the Contractor has based his undertakings of work solely on the County requirements and

observations and has not solely relied on other explanations or interpretation, oral or written, from any other source. Further, Contractor agrees to complete the work in accordance with the county requirements in a good and workmanlike manner.

**707 - License Renewal:**

Each license is for a period of no more than one calendar year. The annual renewal of said licenses is required for any licensee to continue to perform licensed activities within the County and shall be requested by furnishing a renewal application and appropriate fees by the end of the calendar year.

**708 - Non-Renewal, Revocation of License:**

The County retains the right to refuse to renew any license upon its expiration or revoke any license at any time for the following reasons:

- 708.01 Failure to submit the renewal application and appropriate fees;
- 708.02 Failure to adhere to the requirements of these Regulations and the County Construction and Material Specifications;
- 708.03 Failure to follow the lawful directives and instructions of the Sanitary Engineer or his authorized representatives,
- 708.04 Any work or service performed by licensee that is or has been unacceptable to the County;
- 708.05 Failure to correct deficiencies, or unauthorized or unaccepted work;
- 708.06 Failure to obtain the required permits;
- 708.07 Having outstanding violations of these Regulations;
- 708.08 Continuing work after receipt of notice of stop work order;
- 708.09 Beginning work without notifying the County;
- 708.10 Continuing work that could endanger the County’s systems or the health, safety or welfare of the users of the County’s systems and the general public, and
- 708.11 Any other good cause in the judgement of the Director.

**709 - 798 - Reserved:**

**799 - Penalty:**

Whoever violates any provision of this Chapter or County directives pursuant to this Chapter shall be subject to the remedies of **Section 199 - Penalty** of these Regulations.

**END OF CHAPTER**